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THE FORT ST. GEORGE GAZETTE

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PUBLIC DEPARTMENT.
(Elections.)

Fort St. George, October 16, 1936.

No 42.—

RULES FOR THE CONDUCT OF ELECTIONS FOR THE CONSTITUENCIES OF THE MADRAS LEGISLATIVE ASSEMBLY.

In exercise of the powers conferred by paragraph twenty of the Fifth Schedule to the Government of India Act, 1935, read with paragraph twenty-six of Part I of the Government of India (Provincial Legislative Assemblies) Order, 1936, and sub-paragraph (5) of paragraph three of Part I and paragraph six of Part III of the Government of India (Provincial Elections) (Corrupt Practices and Election Petitions) Order, 1936, and of all other powers enabling him in that behalf, the Governor of Madras in Council is hereby pleased to make the following rules for the conduct of elections to the Madras Legislative Assembly.

Introductory

1. These rules may be called the Madras Legislative Assembly Electoral (Elections and Election Petitions) Rules, 1936.

2. In these rules, unless there is anything repugnant in the subject or context,—

(a) (1) 'the Act' means the Government of India Act, 1935;

(2) the 'Assembly Order' means the Government of India (Provincial Legislative Assemblies) Order, 1936;

(3) 'Certified copy' of an entry in the electoral roll means an extract from the final electoral roll obtained from the registration officer concerned and duly authenticated by him

(4) the 'Corrupt Practices Order' means the Government of India (Provincial Elections) (Corrupt Practices and Election Petitions) Order, 1936;

(5) 'Gazette' means the *Fort St. George Gazette*;

(6) 'Returned Candidate' means a candidate who has been duly elected and whose name has been published in the manner prescribed in these rules;

(7) "signed" in relation to a person who is unable to write his name, means authenticated by making a mark, and

(b) where power is conferred to fix any date, it shall be deemed to include a power to postpone such date from time to time.

3. If any difficulty arises as to the holding of any election under the provisions of these rules or of the Act, or of any Order or other rule made under the Act or of any Act of the Provincial Legislature, the Governor may by order do anything not inconsistent with such provisions which appears to him to be necessary for the proper holding of the election.

4. If any question arises as to the interpretation of these rules otherwise than in connexion with an election inquiry held under the Act or under any Order or rule made thereunder or under an Act of the Provincial Legislature, the question shall be referred for the decision of the Governor and his decision shall be final.

5. (1) The functions devolving on the Governor under these rules shall, before the commencement of Part III of the Act, be exercised by the Governor in Council.

(2) After the commencement of the said Part, the functions devolving on the Governor under rules 3, 4, 8 and 9, sub-rule (1) of rule 12, rules 32 and 96, clause (b) of rule 105, sub-rule (1) of rules 109 and 110, sub-rules (1) and (2) of rule 112 and rule 116 shall be exercised by the Governor acting in his individual judgment:

Provided that any power conferred by the provisions aforesaid to fix or postpone any date shall be exercised by the Governor acting in his discretion.

6. For the purposes of clause (d) of paragraph one of the Fifth Schedule to the Act, the Ruler of an Indian State or a subject of any such State shall be qualified to be chosen to fill a seat in the Legislative Assembly.

7. No act done or proceedings taken under, or with reference to, these rules shall be called in question by means of a suit or otherwise in a court of law.

Constitution of the Assembly.

8. (1) A general election shall be held for the purpose of constituting the Assembly in time to be ready to meet by the commencement of Part III of the Act and thereafter, a general election shall be held as often as may be necessary for the constitution of a new Assembly on the expiration of the duration or on the dissolution of the previous Assembly.

(2) For the purposes mentioned in sub-rule (1) the Governor shall, by a notification in the Gazette, call upon members of the Scheduled castes who are entitled to vote in constituencies in which a seat is reserved for members of those castes to elect at a primary election under these rules four candidates for the seat so reserved within such time as may be specified in that notification, and, after the declaration of the results of all such primary elections, the Governor shall, by another notification in the Gazette, call upon every constituency including the constituencies in which a seat is reserved for members of the Scheduled castes, to elect a member or members in accordance with these rules within such time as may be specified in such notification:

Provided that, if the Governor thinks fit, the first of the said notifications may be issued at any time not being more than four months prior to the date on which the duration of the Assembly will expire in the ordinary course:

Provided also that where the election of all the candidates elected at a primary election held in pursuance of a notification issued under this sub-rule is declared void at an election inquiry held under these rules, the Governor shall again by a notification in the Gazette call upon members of the Scheduled castes who are entitled to vote in the constituency concerned to elect at a

fresh primary election under these rules four candidates for the said reserved seat within such time as may be specified in that notification, and the notification under this rule calling upon the constituency concerned to elect a member or members shall be issued after the declaration of the result of such fresh primary election.

Casual Vacancies.

9. (1) When the seat of a member becomes vacant by reason of his death or resignation or by virtue of any provision contained in the Act or in any Order or rule made thereunder or in an Act of the Provincial Legislature, the Governor shall, subject to the provisions of sub-rule (2), by notification in the Gazette call upon the constituency concerned to elect a person for the purpose of filling the vacancy so caused within such time as may be specified in the notification.

(2) If the vacancy so caused be a vacancy of a seat reserved in a constituency for members of the Scheduled castes the Governor shall first by a notification in the Gazette, call upon members of the Scheduled castes who are entitled to vote in that constituency to elect at a primary election under these rules four candidates for the said seat within such time as may be specified in that notification and after the declaration of the result of such primary election, by another notification in the Gazette, call upon the constituency concerned to elect a person for the purpose of filling the vacancy so caused within such time as may be specified in such notification

Provided that where the election of all the candidates elected at a primary election held in pursuance of a notification issued under this sub-rule is declared void at an election inquiry held under these rules, the Governor shall again by a notification in the Gazette call upon members of the Scheduled castes who are entitled to vote in the constituency concerned to elect at a fresh primary election under these rules four candidates for the said vacant seat within such time as may be specified in that notification and the notification under this rule calling upon the said constituency to elect a person for the purpose of filling the vacancy shall be issued after the declaration of the result of such fresh primary election.

Returning Officers.

10. The Returning Officers for the constituencies mentioned in the first column of Schedule I hereto annexed shall be the persons respectively specified in the corresponding entry in the second column thereof

11. (1) The persons specified in the third column of the said Schedule may, subject to the control of the Returning Officer, perform all or any of the functions of the Returning Officer in the constituencies respectively specified in the corresponding entry in the first column thereof.

Provided that no such person shall perform any of the functions of a Returning Officer which relate to the acceptance of a nomination paper or of a paper withdrawing candidature or to the scrutiny of nominations or to the counting of votes, unless the Returning Officer is unavoidably prevented from performing the same, in which case the said functions may be performed in any constituency by the first or the only person specified in the corresponding entry in the third column of the Schedule

(2) Reference to the Returning Officer in these rules shall, unless a contrary intention appears be deemed to include any person when performing any duty or function which he is authorized to perform under sub-rule (1).

Primary Elections.

12. (1) In a notification issued under sub-rule (2) of rule 8 or of rule 9, the Governor shall appoint—

(a) a date for the nomination by the electors in the constituency who belong to the Scheduled castes of candidates for the primary election, such date not being later than the tenth day after the date of the aforesaid notification;

(*b*) another date for the scrutiny of nominations, such date not being later than the third day after the date fixed for the nomination of candidates;

(*c*) a date or dates on which a poll shall, if necessary, be taken; and

(*d*) a further date or dates for the counting of votes.

(2) On the issue of a notification by the Governor it shall be the duty of the Returning Officer to give public notice of the intended election in Form I in such language or languages as he thinks fit. Such notice shall be published on the notice board of the office of the Returning Officer and in such other manner in the constituency as the Returning Officer may think fit.

The said notice shall also be published in the *Fort St. George Gazette* in the case of elections in the Madras City and in the District Gazette concerned in other cases. The notice shall further be posted in all municipal offices and in the office of each Collector, Divisional Officer, Tahsildar, Deputy Tahsildar and Sub-Magistrate situated within the constituency.

13. On or before the date appointed for the nomination of candidates, each candidate shall, either in person or by his proposer or seconder, between the hours of 11 o'clock in the forenoon and 3 o'clock in the afternoon, deliver to the Returning Officer or to such other person as is authorized in this behalf by rule 13, a nomination paper completed in Form II and subscribed by the candidate himself as assenting to the nomination and by two persons as proposer and seconder whose names are registered on the electoral roll of the constituency.

14. (1) Any person who is a member of the Scheduled castes may be nominated as a candidate for a primary election if he is qualified to hold a seat in the Legislative Assembly under the Act, or any Order or rule made thereunder, or an Act of the Provincial Legislature.

(2) The nomination paper delivered by or on behalf of a candidate for a seat in a constituency in which he is not entitled to vote shall be accompanied by a certified copy of the entry containing his name in the electoral roll for the constituency in which he is entitled to vote.

15. (1) Any person, being a member of one of the Scheduled castes, whose name is included in the electoral roll of the constituency and who is not subject to any disabilities for being so included under the Act, or under any Order or rule made thereunder, or under an Act of the Provincial Legislature, may subscribe as proposer or seconder as many nomination papers as there are vacancies to be filled but no more.

(2) Every nomination paper delivered under rule 13 shall be accompanied by a declaration in writing as shown in Schedule II subscribed by the candidate that the candidate has appointed or does thereby appoint as his election agent for the election either himself or some one other person who is not disqualified for the appointment under the Act, or under any Order or rule made thereunder, or under an Act of the Provincial Legislature, and who shall be named in the declaration; and no candidate shall be deemed to be duly nominated unless such declaration is delivered along with the nomination paper:

Provided that, notwithstanding that more than one nomination paper is presented by or on behalf of a candidate, only one such declaration by the candidate shall be necessary.

16. Printed copies of Form II shall, on application, be supplied to any elector of the constituency at the office of the Returning Officer thereof.

17. Any nomination paper which is not received before 3 o'clock in the afternoon on the date appointed by the Governor for the nomination of candidates shall be rejected.

18. (1) On the presentation of a nomination paper, the Returning Officer may require the person or persons presenting the same to produce a copy of the electoral roll on which the candidate and his proposer and seconder are registered or of the necessary entries therein and shall satisfy himself that the name and number on the electoral roll of the candidate and his proposer and seconder as entered in the nomination paper are the same as those entered in the electoral roll. Where necessary he shall direct that the former be amended so as to be in accordance with the latter.

(2) The Returning Officer may interpret an entry in the roll so as to overlook merely clerical or printing errors, but shall record the interpretation he has adopted together with the reasons therefor.

19. The Returning Officer or other person authorized shall, on receiving a nomination paper under rule 13, inform the person or persons delivering the same of the date, hour and place appointed for the scrutiny of nominations, and shall enter in the nomination paper its serial number and shall sign thereon a certificate stating the date on which and the hour at which the nomination paper has been delivered to him; and shall, as soon as may be thereafter, cause to be affixed in some conspicuous place in his office a notice of the nomination containing descriptions similar to those contained in the nomination paper, both of the candidate and of the persons who have subscribed the nomination paper as proposer and seconder.

20 (1) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Returning Officer or other person authorized at or before three o'clock in the afternoon, on the date succeeding that appointed by the Governor for the scrutiny of nominations:

Provided that if this day is a public holiday within the meaning of section 25 of the Negotiable Instruments Act, 1881, or has been notified by the Local Government as a day to be observed as a holiday in Government offices, the notice shall be considered as having been received in due time if it is presented at or before three o'clock on the next succeeding day which is neither such a public holiday nor a day so notified.

(2) On receipt of a notice of withdrawal under sub-rule (1) the Returning Officer shall satisfy himself that the candidate understands the purport of the notice, and only if he is so satisfied shall he accept the notice. Where the candidate is too ill to attend in person, he shall be exempted from appearance in person on production of a certificate regarding his illness from a village munsif or an officer of a higher grade in the Revenue Department, in which case the proposer or seconder of the candidate shall deliver the notice in person.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be re-nominated as a candidate for the same election.

21. The Returning Officer or other person authorized shall, as soon as may be, cause a notice of the withdrawal to be affixed in some conspicuous place in his office.

22 On or before the date appointed for the nomination of candidates, each candidate shall deposit or cause to be deposited with the Returning Officer the sum of fifty rupees in cash; and no candidate shall be deemed to be duly nominated unless such deposit has been made.

23. (1) If a candidate by whom or on whose behalf the deposit referred to in rule 22 has been made withdraws his candidature in the manner and within the time specified in rule 20, or if the nomination of any such candidate is refused, the deposit shall be returned to the person by whom it was made, and, if any candidate dies before the commencement of the poll, whether at the primary or the final election, any such deposit, if made by him, shall be returned to his legal representative or, if not made by the candidate, shall be returned to the person by whom it was made.

(2) If a candidate by whom or on whose behalf such deposit has been made is not elected at the primary election and the number of votes polled by him at such primary election is less than one-fourth of the total number of votes polled by the candidate who has secured the lowest number of votes amongst the successful candidates at such primary election, the deposit shall be forfeited to the Government.

(3) For the purposes of sub-rule (2) the number of votes polled shall be deemed to be the number of ballot papers, other than rejected ballot papers, counted.

(4) The deposit made in respect of a candidate who is not elected at the primary election shall, if it is not forfeited under sub-rule (2), be returned to the candidate or to the person who has made the deposit on his behalf, as the case may be, as soon as may be after the publication of the result of the primary election, and the deposit in respect of a candidate who is elected at the primary election shall be so returned as soon as may be after the publication of the result of the final election, whether the candidate is or is not elected at the final election:

Provided that, if a candidate is duly nominated at a general election in more than one constituency, not more than one of the deposits made by him or on his behalf shall be returned and the remainder shall be forfeited to the Government.

24. On the date appointed by the Governor for the scrutiny of nominations under clause (b) of sub-rule (1) of rule 12, the candidates, one proposer and one seconder of each candidate, and one other person duly authorized in writing by each candidate, and, except for the purpose of assisting the Returning Officer no other person, may attend at such time and place as the Returning Officer may appoint, and the Returning Officer shall afford them all reasonable facilities for examining the nomination papers of all candidates which have been delivered within the time and in the manner prescribed in the foregoing rules.

25. (1) The Returning Officer shall then examine the nomination papers and shall decide all objections which may be made at the time to any nomination, and may, either on such objection or on his own motion, after such summary inquiry, if any, as he thinks necessary, refuse any nomination on any of the following grounds:—

(a) that the candidate is ineligible for election under the provisions of the Act, or under any Order or rule made thereunder, or under an Act of the Provincial Legislature;

(b) that the proposer or seconder is disqualified from subscribing a nomination paper under rule 15; and

(c) that there has been any failure on the part of the candidate or his proposer or seconder to comply with any of the provisions of rules 13 to 22 above.

(2) For the purposes of this rule—

(a) the production of a certified copy of an entry made in the electoral roll of any constituency shall be conclusive evidence of the right of any elector named in that entry to stand for election or to subscribe a nomination paper, as the case may be, unless it is proved that the candidate is disqualified under the Act or under any Order or rule made thereunder or under an Act of the Provincial Legislature, or that the proposer or seconder, as the case may be, is disqualified under rule 15.

(b) where a person has subscribed, whether as proposer or seconder, a larger number of nomination papers than there are vacancies to be filled, those of the papers so subscribed which have been first received, up to the number of vacancies to be filled, shall be deemed to be valid.

(3) Nothing contained in clause (b) or clause (c) of sub-rule (1) shall be deemed to authorise the refusal of the nomination of any candidate on the ground of any irregularity in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.

26. (1) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection.

(2) The scrutiny shall be completed on the day appointed in this behalf under clause (b) of sub-rule (1) of rule 12 and no adjournment of the proceedings shall be allowed.

27. On the completion of the scrutiny of nominations and after the expiry of the period within which candidatures may be withdrawn under sub-rule (1) of rule 20, the Returning Officer shall forthwith prepare a list of persons, whose nominations have not been rejected and who have not withdrawn their candidature, and cause it to be affixed in some conspicuous place in his office.

28. If the number of such persons is greater than the number of vacancies, the Returning Officer shall forthwith publish in the manner prescribed in sub-rule (2) of rule 12 a list in Form III of the names in alphabetical order of the candidates as given in the nomination papers. The alphabetical order is to be determined with reference to the order of the surnames (i.e., names proper) of the candidates. Against each candidate's name on the list shall be noted the serial number and the distinctive colour assigned to him for the purpose of the ballot.

29. (1) If the number of candidates who are duly nominated and who have not withdrawn their candidature in the manner and within the time specified in sub-rule (1) of rule 20 exceeds four, a poll shall be taken.

(2) If the number of such candidates is four, all such candidates shall be declared to be duly elected to the panel.

(3) If the number of such candidates is less than four, all such candidates shall be declared to be elected to the panel:

Provided that if the number of candidates nominated is one, such candidate shall at once be declared to be duly elected to fill the reserved seat in the constituency.

Provided further that if no candidate is nominated, or if the number of candidates nominated is not more than one and he dies before the commencement of the poll, the Governor shall, by notification in the Gazette, call upon the Scheduled caste electors of the constituency to elect a panel of candidates within such time as may be prescribed by the notification. If the constituency having been thus called upon, fails to nominate a candidate, the Governor shall not be bound again to call upon the Scheduled caste electors to elect a panel of candidates and unless a member of the Scheduled castes not elected at a primary election is successful at the final election, the reserved seat shall be left unfilled until such time as the Governor thinks fit to call upon the Scheduled caste electors to hold a fresh election.

30. Votes shall be given by ballot in person and a voter shall be given one ballot paper which shall be placed in the ballot box bearing the serial number and colour assigned to the candidate for whom he desires to vote; otherwise the poll shall be conducted in the manner prescribed by rules 51 to 73.

31. (1) The counting of votes shall commence on the day appointed by the Governor in that behalf at such time and place as the Returning Officer may fix. The Returning Officer shall give notice in writing of the date, time and place aforesaid to all candidates and election agents.

(2) Votes shall be counted by, or under the supervision of, the Returning Officer, and each candidate, and one representative of each candidate authorized in writing by the candidate shall have

a right to be present at the time of counting. No other person shall be allowed to be present except such persons as the Returning Officer may appoint to assist him in counting votes and no person shall be appointed to assist in counting the votes who has been employed by or on behalf of any candidate for any purpose whatsoever connected with the election.

(3) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidates to whom the largest number of votes has been given to be elected.

(4) Where an equality of votes is found to exist between any candidates and the addition of one vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(5) The Returning Officer shall without delay cause the names of the candidates elected to be published by affixing a notice in some conspicuous part of his office and immediately report such names to the Government.

Elections other than primary elections.

32. In a notification issued under sub-rule (2) of rule 8, or under sub-rule (1) of rule 9, the Governor shall appoint—

(*a*) a date for the nomination of candidates, such date not being later than the twenty-first day after the date of the aforesaid notification;

(*b*) another date for the scrutiny of nominations, such date being not later than the third day after the date fixed for the nomination of candidates;

(*c*) a date or dates on which a poll shall, if necessary, be taken; and

(*d*) a further date or dates for the counting of votes.

33 On the issue of a notification by the Governor, it shall be the duty of the Returning Officer to give public notice of the intended election in Form IV, in such language or languages as he thinks fit. Such notice shall be published on the notice board of the office of the Returning Officer and in such other manner in the constituency as the Returning Officer may think fit. In the case of all territorial constituencies except the European and the Anglo-Indian constituencies such notice shall also be posted in the municipal office and in the office of each Collector, Divisional Officer, Tahsildar, Deputy Tahsildar and Sub-Magistrate, situated within the constituency. The notice shall further be published—

(*i*) in the *Fort St. George Gazette*—in the case of the European, Anglo-Indian, University, Landholders, Commerce, Industry and Planting and Labour constituencies and also in the case of the General, Muhammadan, Indian Christian and Women's constituencies relating to the City of Madras; and

(*ii*) in the *District Gazette*—(including the village sheet)—in the case of the General, Muhammadan, Indian Christian and Women's constituencies other than those relating to the City of Madras and also in the case of the Backward Areas and Tribes constituency.

34. On or before the date appointed for the nomination of candidates, each candidate shall, either in person or by his proposer or seconder, between the hours of eleven o'clock in the forenoon and three o'clock in the afternoon, deliver to the Returning Officer or to such other person as is authorized in this behalf by rule 11 a nomination paper completed in the manner prescribed in Form II and subscribed by the candidate himself as assenting to the nomination and by two persons as proposer and seconder whose names are registered on the electoral roll of the constituency.

35. (1) Any person may be nominated as a candidate at an election to fill a seat or seats in any constituency, if he is qualified to be chosen to fill such seat or one of such seats, as the case may be, under the Act, or under any Order or rule made thereunder, or under an Act of the Provincial Legislature.

(2) The nomination paper delivered by or on behalf of a candidate for a seat in a constituency in which he is not entitled to vote shall be accompanied by a certified copy of the entry, containing his name in the electoral roll of the constituency in which he is entitled to vote:

Provided that, if the candidate is a candidate for a seat in a Labour constituency and is not entitled to vote in the choice of a member to fill any Labour seat, such nomination paper shall be accompanied by a certificate to the effect

(a) that the candidate is a member, an honorary member or an official, as the case may be, of a trade union and if an ordinary member, that he is not in arrear with his subscription; and

(b) that such trade union is a recognized trade union within the meaning of sub-paragraph (2) of paragraph 24 of Part II of the Assembly Order.

(3) The certificate required by the proviso to sub-rule (2) shall be signed by the President or Chairman or Secretary of the trade union concerned and shall be sealed with its common seal, and the signature on such certificate shall be attested by a Presidency Magistrate, Taluk Magistrate, Deputy Tahsildar or Stationary Sub-Magistrate.

(4) The nomination paper delivered by or on behalf of a candidate for the seat reserved for backward areas and tribes shall be accompanied by a certificate from the Revenue Divisional Officer of the division in which the candidate resides, stating that the candidate is a member of a backward tribe who is entitled to vote in the choice of a member to fill that seat or a seat in a territorial constituency.

36. (1) Any person whose name is included in the electoral roll of the constituency and who is not subject to any disabilities for being so included under the Act, or under any Order or rule made thereunder, or under an Act of the Provincial Legislature, may subscribe as proposer or seconder as many nomination papers as there are vacancies to be filled but no more:

Provided that where a nominee of a firm, corporation or Hindu joint family is a candidate for election, any other nominee of the said firm, corporation of Hindu joint family shall not be entitled to subscribe either as proposer or seconder the nomination paper of such candidate:

Provided also that where a nominee of a firm, corporation or Hindu joint family has subscribed as proposer or seconder a nomination paper, any other nominee of the said firm, corporation or Hindu joint family shall not subscribe as seconder or proposer the same nomination paper.

(2) Every nomination paper delivered under rule 34 shall be accompanied by a declaration in writing as shown in Schedule II subscribed by the candidate that the candidate has appointed or does thereby appoint as his election agent for the election either himself or some one other person who is not disqualified under the Act, or under any Order or rule made thereunder, or under an Act of the Provincial Legislature, for the appointment and who shall be named in the declaration; and no candidate shall be deemed to be duly nominated unless such declaration is delivered along with the nomination paper:

Provided that, notwithstanding that more than one nomination paper is presented by or on behalf of a candidate, only one such declaration by the candidate shall be necessary.

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37. Printed copies of the nomination paper in Form II shall on application be supplied to any elector of the constituency at the office of the Returning Officer thereof.

38 Any nomination paper which is not received before three o'clock in the afternoon on the date appointed by the Governor for the nomination of candidates shall be rejected.

39 (1) On the presentation of a nomination paper, the Returning Officer may require the person or persons presenting the same to produce a copy of the electoral roll on which the candidate and his proposer and seconder are registered or of the necessary entries therein and shall satisfy himself that the name and number on the electoral roll of the candidate and his proposer and seconder as entered in the nomination paper are the same as those entered in the electoral roll. Where necessary, he shall direct that the former be amended so as to be in accordance with the latter.

(2) The Returning Officer may interpret an entry in the roll so as to overlook merely clerical or printing errors, but shall record the interpretation he has adopted together with the reasons therefor.

40. The Returning Officer or other person authorized shall, on receiving a nomination paper under rule 34, inform the person or persons delivering the same of the date, hour and place appointed for the scrutiny of nominations, and shall enter in the nomination paper its serial number and shall sign thereon a certificate stating the date on which and the hour at which the nomination paper has been delivered to him; and shall, as soon as may be thereafter, cause to be affixed in some conspicuous place in his office a notice of the nomination containing descriptions similar to those contained in the nomination paper, both of the candidate and of the persons who have subscribed the nomination paper as proposer and seconder.

41. (1) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Returning Officer or other person authorized on or before three o'clock in the afternoon on the date succeeding that appointed by the Governor for the scrutiny of nominations:

Provided that if this day is a public holiday within the meaning of section 25 of the Negotiable Instruments Act, 1881 or has been notified by the Local Government as a day to be observed as a holiday in Government offices the notice shall be considered as having been received in due time if it is presented at or before three o'clock on the next succeeding day which is neither such a public holiday nor a day so notified.

(2) A candidate elected at a primary election may withdraw his candidature by notice in writing subscribed by him and delivered in person to the Returning Officer or other person authorized on or before the time and date specified in sub-rule (1). The provisions of sub rule (2) of role 20 shall apply to a withdrawal under this sub-rule.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be re-nominated as a candidate for the same election.

42 The Returning Officer or other person authorized shall, on receiving a notice of withdrawal under rule 41, as soon as may be, cause a notice of the withdrawal to be affixed in some conspicuous place in his office

43 (1) On or before the date appointed for the nomination of candidates, each candidate in every constituency shall deposit or cause to be deposited with the Returning Officer the sum of two hundred and fifty rupees in cash * or in Government Promissory Notes of equal value at the market rate of the day:

Provided that the deposit of a candidate in a Labour constituency or the Backward Areas and Tribes constituency shall be fifty rupees:

* Returning Officers may accept treasury receipts in lieu of cash when a candidate chooses to pay the amount in cash direct into the treasury.

Provided further that a Scheduled caste candidate elected at a primary election shall not be called upon to make a deposit in addition to the one provided for in rule 22.

(2) No candidate shall be deemed to be duly nominated unless the deposit mentioned in sub-rule (1) has been made.

(3) If a candidate by whom or on whose behalf the deposit referred to in sub-rule (1) has been made withdraws his candidature in the manner and within the time specified in rule 41, or if the nomination of any such candidate is refused, the deposit shall be returned to the person by whom it was made, and, if any candidate dies before the commencement of the poll, any such deposit, if made by him, shall be returned to his legal representative or, if not made by the candidate, shall be returned to the person by whom it was made.

(4) If a candidate by whom or on whose behalf the deposit referred to in sub-rule (1) has been made is not elected and the number of votes polled by him does not exceed, in the case of a constituency returning one or two members, one eighth of the total number of votes polled, or, in the case of a constituency returning more than two members, one-eighth of the number of votes polled divided by the number of members to be elected, the deposit shall be forfeited to the Government:

Provided that in a constituency in which a seat is reserved for a representative of the Scheduled castes—

(i) the deposit of a Scheduled caste candidate shall not be forfeited; and

(ii) the deposit of any other candidate shall not be forfeited unless he fails to obtain one-eighth of the total number of votes polled by all candidates other than the Scheduled caste candidates.

(5) For the purposes of sub-rule (4), the number of votes polled shall be deemed to be the number of ballot papers, other than rejected ballot papers, counted.

(6) The deposit made in respect of a candidate who is not elected, if it is not forfeited under sub-rule (4) and the deposit made in respect of a candidate who is elected shall be returned to the candidate or to the person who has made the deposit on his behalf, as the case may be, as soon as may be after the publication of the result of the election in the Gazette:

Provided that, if a candidate is duly nominated at a general election in more than one constituency, not more than one of the deposits made by him or on his behalf shall be returned, and the remainder shall be forfeited to the Government.

Scrutiny of Nominations.

44. On the date appointed by the Governor for the scrutiny of nominations under rule 32, the candidates, their election agents, one proposer and one seconder of each candidate, and one other person duly authorized in writing by each candidate, and, except for the purpose of assisting the Returning Officer, no other person, may attend at such time and place as the Returning Officer may appoint, and the Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates which have been delivered within the time and in the manner prescribed in the foregoing rules.

45. (1) The Returning Officer shall then examine the nomination papers and shall decide all objections which may be made at the time to any nomination, and may, either on such objection or on his own motion, after such summary inquiry, if any, as he thinks necessary, reject any nomination on any of the following grounds:—

(a) that the candidate is ineligible for election under the provisions of the Act or under any Order or rule made thereunder, or under an Act of the Provincial Legislature;

(b) that the proposer or seconder is disqualified from subscribing a nomination paper under rule 36; and

(c) that there has been any failure on the part of the candidate or his proposer or seconder to comply with any of the provisions of the foregoing rules.

(2) For the purposes of this rule—

(a) the production of a certified copy of an entry made in the electoral roll of any constituency shall be conclusive evidence of the right of any elector named in that entry to stand for election or to subscribe a nomination paper, as the case may be, unless it is proved that the candidate is disqualified under the Act, or under any Order or rule made thereunder or under an Act of the Provincial Legislature, or that the proposer or seconder, as the case may be, is disqualified under rule 36; and

(b) where a person has subscribed, whether as proposer or seconder, a larger number of nomination papers than there are vacancies to be filled, those of the papers so subscribed which have been first received, up to the number of vacancies to be filled, shall be deemed to be valid.

(3) Nothing contained in clause (b) or clause (c) of sub-rule (1) shall be deemed to authorize the refusal of the nomination of any candidate on the ground of any irregularity in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.

46. (1) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection.

(2) The scrutiny shall be completed on the day appointed in this behalf under clause (b) of rule 32 and no adjournment of the proceedings shall be allowed.

(3) On completion of the scrutiny of nominations and after the expiry of the period within which candidatures may be withdrawn under rule 41, the Returning Officer shall forthwith prepare a list of persons, whose nominations have not been rejected and who have not withdrawn their candidature, and cause it to be affixed in some conspicuous place in his office.

47. If the number of such persons is greater than the number of vacancies, the Returning Officer shall forthwith publish in the manner prescribed in rule 33 a list in Form V of the names in alphabetical order of the candidates as given in the nomination papers. The alphabetical order is to be determined with reference to the order of the surnames (i.e., names proper) of the candidates. In a constituency in which a seat is reserved for a representative of the Scheduled castes, the names of the candidates who have been duly elected at the primary election and have not withdrawn their candidature in the manner and within the time allowed by rule 41 shall also be included in this list unless there is only one candidate. Against each candidate's name on the list shall be noted the serial number and, in the case of personal vote constituencies, the distinctive colour assigned to him for the purpose of the ballot.

48. If a candidate who has been duly nominated dies after the date appointed for the scrutiny of nominations and before the commencement of the poll, the Returning Officer or other authorized person referred to in rule 34 shall, upon being satisfied of the fact of the death of the candidate, countermand the poll and report the fact to the Government, and all proceedings with reference to the election shall be commenced anew in all respects as if for a new election:

Provided that no fresh nomination shall be necessary in the case of a candidate who stood nominated at the time of the countermanding of the poll, nor shall it be necessary to hold another primary election.

49. (1) If the number of candidates who are duly nominated and who have not withdrawn their candidature in the manner and within the time specified in rule 41 exceeds that of the vacancies, a poll shall be taken.

(2) If the number of such candidates is equal to the number of vacancies, all such candidates shall be declared to be duly elected.

(3) If the number of such candidates is less than the number of vacancies, all such candidates, if any, shall be declared to be elected, and the Governor shall, by a notification in the Gazette, call upon the constituency to fill the vacancy or vacancies, as the case may be, within such time as may be prescribed by the notification :

Provided that where the constituency, having already been called upon under this sub-rule, has failed to elect a person or the requisite number of persons, as the case may be, to fill the vacancy or vacancies, the Governor shall not be bound again to call upon the constituency to elect a person or persons until such time as he thinks fit.

(4) Votes shall be given by ballot and, save as otherwise provided in rules 69 and 70 and in constituencies other than those mentioned in rule 50, in person.

50. Rules 51 to 73, except the explanation to rule 65 (1), shall not apply to the following constituencies, viz :—

(a) European,
(b) Anglo-Indian,
(c) Landholders,
(d) University and
(e) Madras Planters,

but shall apply to all other constituencies.

51. The poll shall commence at 7 a.m. and be kept open till 6 p.m. It may be closed for not more than one hour between these hours at the discretion of the presiding officer.

52. The Returning Officer may, for sufficient cause and with the previous consent of the Governor, postpone the date or extend the period fixed for polling.

In emergencies such as a disturbance of the public peace or the intervention of floods, the presiding officer may close the poll, and shall make a report to the Returning Officer. The Returning Officer shall notify the adjournment of the poll to a subsequent day and shall immediately report the circumstances to the Government.

53. The Returning Officer shall appoint one polling station for each polling area in each constituency and shall appoint a presiding officer for each polling station and such other persons (hereinafter referred to as polling officers) to assist the presiding officer as he thinks necessary.

54. The presiding officer shall keep order at the polling station, shall see that the election is fairly conducted, shall regulate the number of electors to be admitted at one time, and shall exclude all other persons except—

(a) the polling officers, the candidates and one agent of each candidate at a time (hereinafter referred to as the polling agent) appointed in writing by the candidate,.
(b) the police or other public servants on duty, and
(c) such other persons as the presiding officer may from time to time admit for the purpose of identifying electors.

55. Subject to the provisions of rules 69 and 70 no elector shall be admitted to vote except at the polling station fixed under rule 53 for the polling area under which his name appears on the electoral roll.

56. The presiding officer shall close the polling station at the hour appointed for closing under rules 51 and 52 so as to prevent the admission thereto of any elector after that hour and no ballot paper shall be issued after that hour.

57. Each polling station shall contain a separate compartment in which electors can record their votes screened from observation except in so far as it may be necessary to ensure that the ballot papers are duly placed in boxes. As far as possible, separate compartments and separate entrances and exits shall, where action is not taken under rule 58, be provided for women electors.

58. Notwithstanding anything hereinbefore contained, the Returning Officer may, at his discretion, if a sufficient number of women suitable and willing to act as presiding and polling officers are available, provide a separate polling station for taking the votes of the women electors for any polling area or make such other arrangements as may be necessary to ensure the privacy of such electors. In such cases women only shall be appointed to act as presiding and polling officers in respect of the votes of the women electors concerned. Except the police or other public servants on duty, no candidate, agent of a candidate or other person who is not a woman shall be admitted into or be present at such polling station or the place where the votes of such women electors are taken, as the case may be.

59. The Returning Officer shall provide in each polling compartment at each polling station, as many ballot boxes as there are candidates, the box of each candidate bearing the serial number and the distinctive colour or colours assigned to him. He shall also provide a sufficient number of envelopes bearing the distinctive colours assigned to candidates and such other colours as may be necessary to give effect to sub-rule (2) of rule 70, together with the necessary outer covers, and copies of the electoral roll or such part thereof as contains the names of the electors entitled to vote at the station. He shall further provide a board on which is displayed in bold and clear print the name of each candidate, the serial number and the colour assigned to him.

60. (1) Every ballot-box shall be so constructed that the ballot papers can be introduced therein but cannot be withdrawn therefrom, without the box being unlocked. The presiding officer at any polling station, immediately before the commencement of the poll, shall show the ballot box empty to such persons as may be present at such station, so that they may see that it is empty, and shall then lock it up, and place his seal upon it in such manner as to prevent its being opened without breaking such seal. He shall thereupon place the box so locked and sealed inside the polling compartment for the receipt of ballot papers, but screened from observation except in so far as it may be necessary to ensure that the ballot papers are duly placed in it.

(2) Before the polling station is open for the recording of votes, the presiding officer shall read to such persons as may be present the provisions of section 14 of the Indian Election Offences and Inquiries Act, 1920, and shall explain the substance thereof in the vernacular of the district.

61. Every ballot paper shall be in Form VI and shall have a counterfoil attached to it which shall be in Form VI-A. The ballot paper shall bear the letter or letters indicating the constituency and a serial number. On each ballot paper the polling officer shall affix a stamp across the perforation between the foil and counterfoil.

62. (1) At elections for constituencies in which not more than one seat has to be filled a voter shall be given only one ballot paper which shall be placed in the ballot-box bearing the serial number and the colour assigned to the candidate for whom he desires to vote.

(2) At elections for constituencies in which more than one seat has to be filled, the voter shall be given as many ballot papers as there are seats to be filled and the presiding officer or polling officer shall explain to the voter that he may place all the ballot papers in the ballot-box of one candidate or distribute them as he thinks fit and place them in different ballot-boxes.

(3) Immediately before a ballot paper is delivered to an elector, the number, name and description of the elector as stated in the electoral roll shall be called out. The polling officer shall

stamp the ballot paper with the prescribed mark, detach it from the counterfoil, and deliver it to the elector and shall place a mark on a copy of the electoral roll against the number of the elector to denote that he has received a ballot paper, but with no indication of the particular ballot paper which he has received.

63. The elector on receiving the ballot paper or papers shall forthwith proceed into the polling compartment and there place the ballot paper or papers in the box or boxes according to his choice. Every elector shall vote without undue delay and shall quit the polling station as soon as he has voted.

64. (1) If an elector is incapacitated from blindness or other physical cause from voting in the manner prescribed in rule 63 the presiding officer shall ascertain from him for whom he wishes to vote and shall, in the presence of any candidate or polling agent who may be present, place the ballot paper in the box bearing the serial number and the colour assigned to the candidate for whom he wishes to vote

(2) In the case of every elector whose ballot paper is dealt with in the manner laid down in sub-rule (1), a note shall be made on the counterfoil by the presiding officer, of the reason why it was so dealt with.

65. (1) When a person presents himself to vote, and at any time before a ballot paper is supplied to him, the presiding officer or polling officer may, of his own accord, and shall, if so required by a candidate or polling agent, put to such person any or all of the following questions :—

(i) Are you the person enrolled as follows (reading the whole entry from the roll)?

(ii) Have you already voted at the present election in this constituency? and

(iii) At a general election—

(a) In the case of a territorial constituency other than a Women's constituency—Have you voted in any other territorial constituency not being a Women's constituency?,

(b) In the case of a Women's constituency—Have you voted in any other Women's constituency?;

(c) In the case of a Commerce and Industry constituency —Have you voted in any other Commerce and Industry constituency?, and

(d) In the case of a Labour constituency—Have you voted in any other Labour constituency?

and the person shall not be supplied with a ballot paper unless he gives an unqualified answer to the question or questions put to him and unless he answers the first question in the affirmative, the second question in the negative, and, at a general election, the appropriate third question also in the negative.

Explanation I.—Constituencies fall under the following eight classes, namely :—

(i) Territorial constituencies other than Women's constituencies, that is to say, the General, Muhammadan, Anglo-Indian, European and Indian Christian constituencies;

(ii) Territorial constituencies being Women's constituencies;

(iii) The Backward Areas and Tribes Special constituency;

(iv) The Commerce and Industry Special constituencies;

(v) The Planting Special constituency;

(vi) The Landholders' Special constituencies;

(vii) The Labour Special constituencies; and,

(viii) The University Special constituency.

Explanation II.—An elector is not entitled to vote in more than one constituency falling under any one class specified above.

Explanation III.—An elector entitled to vote in any constituency falling under one class is not, by reason only of that fact, precluded from voting in a constituency falling under any other class.

(2) Except as mentioned herein, every person whose name is found on the electoral roll shall be entitled to be supplied with a ballot paper.

66. If a person representing himself to be a particular elector named on the electoral roll applies for a ballot paper after another person has voted as such elector, the applicant shall, after duly answering such questions as the presiding officer may ask, be entitled to receive a ballot paper in the same manner as another elector. On receipt of such ballot paper (hereinafter referred to as a tendered ballot paper) the elector shall proceed into the polling compartment and there place the ballot paper in an envelope bearing the colour assigned to the candidate of the applicant's choice. He shall then stick the envelope and enclose it in a cover and hand it over to the presiding officer. The presiding officer shall make an endorsement containing the name of the elector and his number on the electoral roll and the name and number of the electoral area to which the roll relates and shall set aside the cover in a separate packet the ballot papers in which shall not be counted by the Returning Officer. The name of the elector and his number in the electoral roll and the name or distinctive number of the polling station to which the roll relates shall be entered in a list in Form VII, which shall bear the heading "Tendered votes list." The person tendering such ballot paper shall sign his name and address on that list or affix his thumb-impression thereto.

Explanation.—In cases falling under this rule to which rule 67 is also applicable, the provisions of this rule as well as of rule 67 shall be followed.

67. (1) If any polling agent declares and undertakes to prove that any person by applying for a ballot paper has committed the offence of personation, the presiding officer may require such person to enter in the list of challenged votes (which shall be in Form VIII) his name and address or, if he is unable to write, to affix his thumb-impression thereto and may further require such person to produce evidence of identification.

(2) The presiding officer shall then call upon the candidate or agent bringing forward the charge of personation to deposit with him a sum of twenty rupees in cash.

(3) Immediately the deposit required by sub-rule (2) has been made, the presiding officer shall obtain a written statement in Form IX which shall be signed by the candidate or agent, as the case may be, and which shall also be attested by two credible witnesses, in the presence of the presiding officer.

(4) If the applicant for the ballot paper on being questioned in the manner provided in rule 65 gives unqualified answers to the first question in the affirmative and to the other questions in the negative, he shall be allowed to vote after he has been informed of the penalty for personation. The presiding officer shall make a note of the circumstances and of his decision on the list of challenged votes.

(5) The presiding officer shall, at the close of the poll, forward to the Returning Officer the statement mentioned in sub-rule (3), enclosed in the packet containing the list of challenged votes.

(6) The Returning Officer, after instituting such inquiries as may be necessary, shall take steps to prosecute the person or persons whom he believes to be guilty of the offence of personation after obtaining the previous sanction, required by section 196 of the Criminal Procedure Code, such sanction being obtained from the Commissioner of Police in the City of Madras and from the District Magistrate concerned elsewhere. If it is found as a result of the judicial trial that the offence of personation has not been proved, the Returning Officer shall decide whether the whole or part of the deposit shall be declared forfeit to the Government. In coming to a decision on this point the Returning Officer shall be guided by the facts and conclusions recorded at the trial.

68. An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot conveniently be used as a ballot paper may, on delivering it to the presiding officer and satisfying him of the inadvertence, obtain another ballot paper in place of the spoilt paper, and the latter shall, together with its counterfoil, be marked as cancelled.

69. A presiding officer, polling officer, or polling agent or public servant who being entitled to vote in the constituency is duly appointed or authorized for duty at a polling station at which he is not ordinarily entitled to record his vote may apply to the Returning Officer concerned for a certificate entitling him to record his vote at the polling station where he is employed. The said certificate shall be in Form X.

If however he is on duty at a polling station which is not in the constituency in which he is entitled to record his vote the Returning Officer shall in addition to the certificate mentioned above furnish the presiding officer concerned with particulars regarding the number of votes which an elector is entitled to give and the names of and serial numbers and colours assigned to, the candidates standing for election in that constituency.

70. A person in possession of a certificate in the form prescribed in rule 69 shall deliver the certificate to the presiding officer who shall thereupon issue to the person ballot papers in the same manner as to any other elector. Such ballot papers shall be dealt with in the following manner:—

(1) If the polling station at which the person is on duty be in the same constituency as the one in which he is entitled to vote, then the provisions contained in rules 62 and 63 shall apply. The presiding officer shall, at the end of the poll, send the certificate to the Returning Officer along with the statement mentioned in rule 72.

(2) If the polling station at which the person is on duty be not in the constituency in which he is entitled to vote the presiding officer shall issue the ballot paper or papers with instructions similar to those contained in sub-rule (2) of rule 62. The person shall proceed into the polling compartment and place the ballot paper in the envelope bearing the colour assigned to the candidate of his choice and stick it up, enclose the envelope in a cover and hand over the cover to the presiding officer. Where an elector is given more than one ballot paper he shall adopt a similar procedure in respect of each such paper unless he chooses to give all his votes to a single candidate, in which case all the ballot papers shall be placed in a single envelope bearing the colour assigned to the candidate of his choice.

The presiding officer shall make up into separate packets for each constituency the covers in which votes have been so recorded, the connected certificates being fastened to the covers, seal up each such packet in the manner specified in rule 71 and forward the same to the Returning Officer of the constituency concerned.

71. The presiding officer of each polling station, as soon as practicable after the close of the poll, shall, in the presence of any candidate or polling agents who may be present, make up into separate packets and seal with his own seal and the seal of such candidates or agents as may decide to affix their seals—

(1) each ballot-box in use at such station unopened but with the key (which should also be sealed in the same manner as the ballot-box) attached,
(2) the tendered ballot papers,
(3) the unused ballot papers,
(4) the spoilt ballot papers,
(5) the marked copy of the electoral roll,
(6) the counterfoils of the ballot papers,
(7) the tendered votes list,
(8) the list of challenged votes with the statement or statements mentioned in rule 67 (5), and
(9) the covers under rule 70 (2),

and shall forward such packets to the authority mentioned in rule 73.

74. The packets shall be accompanied by a statement, in a separate cover, in Form XI made by the presiding officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot-boxes, unused, spoilt, and tendered ballot papers.

75. Subject to any directions given in that behalf by the Returning Officer, the packets and statements shall be forwarded by the presiding officer to the Returning Officer concerned in the Madras City and either in himself or to such taluk officer as the Returning Officer may direct in his behalf. Each packet shall be numbered and shall bear a note as to its contents and the name of the polling station. Where no vote has been recorded in any constituency the presiding officer shall submit a nil report together with the statement in Form XI. The taluk officer shall forward to the Returning Officer concerned immediately on receipt from all the polling stations in the taluk, the packets and statements referred to in rules 71 and 72

Postal Voting.

74. Rules 75 to 83 shall apply to the constituencies excepted by rule 50, and no elector of these constituencies shall be allowed to vote in any other way than is provided in these rules.

75. (1) The Returning Officer shall issue through registered post, acknowledgment due, a declaration paper and a ballot paper to each elector at the address entered against his name in the electoral roll, unless the elector has, since the publication of the roll, given intimation of any change in his address in the manner prescribed in sub-rule (2)

(2) Any elector wishing to intimate any change in his address as entered against his name in the electoral roll shall do so through a Presidency Magistrate, Taluk Magistrate, Deputy Tahsildar or Stationary Sub-Magistrate, having jurisdiction over the place mentioned in such address. The intimation shall be given in writing and shall be signed by the elector before the officer aforesaid. If the elector is not personally known to such officer, he shall be identified by two respectable witnesses who shall also sign the intimation as having identified the elector. For the purpose of identification, the testimony of the village officers of the village in which the elector resides, shall be accepted as sufficient. The officer before whom the elector signs the intimation shall forward it himself to the Returning Officer of the constituency concerned.

The provisions of this sub-rule shall apply *mutatis mutandis* whenever the elector wishes to intimate any subsequent change in his address.

76. The ballot paper shall be in Form XII and the declaration paper in Form XII-A. The ballot paper shall have the names of the candidates in the order in which they appear in Form V. If there are two candidates whose names are the same, they shall be distinguished by the addition of their occupation or in some other way. The ballot papers shall be printed in such language or languages as the Returning Officer may consider necessary. The same serial number shall be entered on the face of the declaration paper and on the back of the ballot paper. To each elector shall be issued the declaration paper and the ballot paper whose serial numbers correspond to the number which the elector bears on the electoral roll.

77. Before the ballot paper is issued to an elector, the Returning Officer shall—

(a) have the name of the elector entered on the declaration paper; and

(b) place a mark against the name of the elector concerned in the electoral roll, or the copy of it, used for the purpose of the election.

78. With the ballot paper, the Returning Officer shall send a cover addressed to himself in Form XIII, an envelope with the number of the ballot paper entered on its face and a letter in Form XIV. The Returning Officer shall have the number of the ballot paper entered at the left-hand bottom corner of the cover in Form XIII.

79. Each elector, upon receipt of his ballot paper, if he desires to vote in the election, shall sign the declaration in the declaration paper and record his vote or votes on the ballot paper by placing a mark against the name of the candidate or candidates of his choice

80. The elector shall then enclose the ballot paper in the envelope and stick it up, enclose the envelope and the declaration paper in the cover and send the cover by registered post to the Returning Officer so as to reach him not later than the day and the latest hour fixed for the poll. The covers received after such day and hour, as well as covers received by unregistered post, shall be rejected:

Provided that, at his option, the elector may in person or by messenger deposit the cover in a ballot-box which shall be provided at the office of the Returning Officer on the day and during the hours fixed for the poll.

81. (1) If an elector is incapacitated from blindness or other physical cause, from voting in the manner prescribed above, it shall be competent for him to record his vote by the hand of any of the officers mentioned hereunder; and such officer shall, at the request of the elector, mark the ballot paper in the presence of the elector and if the incapacity is due to blindness, in the presence of another person as well and shall, on the declaration paper, certify the incapacity and attest the fact of his having been requested by the elector to mark the ballot paper for him, and of its having been so marked.

(2) The following officers are empowered to attest votes of incapacitated electors under this rule:—

Stipendiary Magistrates other than a village magistrate, Judges of the Court of Small Causes Madras, and the City Civil Court, Madras, Sub-Judges, District Munsifs, District Registrars and Sub-Registrars.

82. (1) An elector who has not received his ballot and other connected papers sent by post or whose papers, before their despatch back to the Returning Officer have been inadvertently spoilt in such manner that they cannot conveniently be used, or who has lost his papers, may apply in the manner prescribed in sub rule (2) for new papers in place of those not received, spoilt or lost and if the papers have been spoilt, the spoilt papers shall be returned to the Returning Officer who shall cancel the same on receipt In every case where new papers are issued, a mark shall be placed against the name of the elector in the copy of the roll referred to in clause (b) of rule 77 to denote that new papers have been issued in place of those not received, spoilt or lost

(2) Any elector applying for new papers under sub-rule (1) shall sign a declaration to the effect that he has not received his ballot and other connected papers or that they have been spoilt or lost, as the case may be, before a Presidency Magistrate, Taluk Magistrate, Deputy Tahsildar or Stationary Sub-Magistrate having jurisdiction over the place mentioned in the address as entered against the elector's name in the electoral roll or as intimated under sub rule (2) of rule 75, as the case may be If the elector is not personally known to such officer, he shall be identified by two respectable witnesses who shall also sign the declaration as having identified the elector. For the purpose of identification, the testimony of the village officers of the village in which the elector resides shall be accepted as sufficient. The officer before whom the elector signs the declaration shall forward it himself to the Returning Officer of the constituency concerned

83. No election shall be invalidated by reason that an elector has not received his ballot paper provided that a ballot paper has been issued to him in accordance with these rules.

Counting of Votes

84. The counting of votes shall commence on the day appointed by the Governor in that behalf at such time and place as the Returning Officer may fix. The Returning Officer shall give notice in writing of the date, time and place aforesaid to all candidates and election agents.

85. Votes shall be counted by, or under the supervision of, the Returning Officer, and each candidate, the election agent of each candidate, and one representative of each candidate authorized in writing by the candidate shall have a right to be present at the time of counting. No other person shall be allowed to be present except such persons as the Returning Officer may appoint to assist him in counting votes and no person shall be appointed to assist in counting the votes who has been employed by or on behalf of any candidate for any purpose whatsoever connected with the election.

86. The Returning Officer shall, before he commences to count the votes read the provisions of section 14 of the Indian Election Offences and Inquiries Act, 1920, to such persons as may be present, and shall then proceed as follows :—

(a) (i) If the constituency is one in which the voting is personal, the ballot-box or boxes relating to all polling stations in the constituency bearing the same serial number and colour and all envelopes of the same colour as those boxes, enclosed in covers which may have been received under rules 70 and 71 shall be opened one after another. The Returning Officer shall take out the ballot papers therefrom, count them and record the number thereof in a statement. He shall then have all the boxes of another serial number and colour opened and the ballot papers taken out, counted and the number recorded in the statement and similarly with boxes of as many serial numbers and colours as may have been prescribed for the constituency.

(ii) If the constituency is one for which postal voting is prescribed, the covers received from or deposited by electors under the proviso to rule 80, shall be opened one after another and the envelopes and declaration papers taken out therefrom. If a cover should contain no declaration paper outside the envelope, the envelope enclosed in such cover shall be rejected and the Returning Officer shall endorse the word "rejected" on the envelope. If a cover contains a declaration paper, the Returning Officer shall examine whether the declaration paper is the one sent out by him and whether the declaration and attestation are *prima facie* regular. If he is not satisfied that a declaration paper is the one sent out by him to the elector concerned or if the declaration or attestation is not in order, he shall endorse the word "rejected" on the back of the declaration paper and keep it with the connected envelope in a separate bundle. If more than one declaration paper or more than one envelope is enclosed in one and the same cover, all the declaration papers and envelopes contained in the cover shall be rejected, and the Returning Officer shall endorse the word "rejected" on the back of each declaration paper and keep the declaration papers so rejected and the envelopes contained in the cover in the same bundle of rejected papers. He shall file the other declaration papers and the envelopes containing the corresponding ballot papers in a separate heap. Those envelopes shall then be opened, the ballot papers enclosed therein taken out, and counted, and the total thereof recorded by the Returning Officer in a statement.

The Returning Officer shall then mix together all the ballot papers so counted and totalled up and distribute them in convenient bundles to the persons appointed to assist in counting the votes.

(b) The Returning Officer shall allow the candidates and their agents reasonable opportunities to inspect, without handling, all ballot papers which in his opinion are liable to be rejected. He shall endorse on every ballot paper which is wholly or partially rejected the word "rejected." If any candidate or agent present questions the correctness of the rejection, he shall also record on the ballot paper the

grounds for the rejection. No candidate or agent shall be allowed to see the serial number on the back of any ballot paper.

(c) The Returning Officer shall, as far as practicable, proceed continuously with the counting of the votes; and shall, during any necessary intervals during which the counting has to be suspended, place the ballot papers, packets and other documents relating to the election under his own seal and the seals of such candidates or agents as may desire to affix them, and shall cause adequate precautions to be taken for their custody.

87. (1) A ballot paper shall be rejected if—

(a) in *the case of all constituencies*—both personal vote and postal vote—it bears any mark by which the elector can be identified;

(b) in *the case of personal vote constituencies*—

(i) it does not bear the official stamp prescribed in rule 61;

(ii) it bears the mark belonging to a constituency different from that of the ballot box in which it is found; and

(c) *in the case of postal vote constituencies*—

(i) the number of votes recorded thereon exceeds the number of vacancies to be filled;

(ii) no vote is recorded thereon;

(iii) it is void for uncertainty;

(iv) the cover, enclosing the elector's declaration paper and the envelope containing his ballot paper, has neither been sent by registered post so as to reach the Returning Officer not later than the day and the latest hour fixed for the poll nor deposited in the ballot-box provided in the office of the Returning Officer on the day and during the hours fixed for the poll;

(v) the cover contains no declaration paper outside the envelope;

(vi) more than one declaration paper or envelope containing the ballot paper have been enclosed in one and the same cover;

(vii) the declaration paper is not the one sent out by the Returning Officer to the elector or the declaration or attestation is not in order:

Provided that in a case where more than one vote can be given on the same ballot paper, if one of the marks is so placed as to render it doubtful to which candidate it was intended to apply, the vote concerned but not the whole ballot paper shall be invalid on that account.

(2) Except on the abovementioned grounds, a ballot paper shall not be rejected.

(3) The decision of the Returning Officer as to the validity of a ballot paper shall be final, subject only to reversal on an election petition.

88. When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates, as the case may be, to whom the largest number of votes has been given to be elected.

Provided that, if a seat is reserved, the Returning Officer shall first declare to be elected the Scheduled caste candidate to whom the largest number of votes has been given.

89. Where an equality of votes is found to exist between any candidates and the addition of one vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

90. (1) The Returning Officer shall without delay report the result of the election to the Secretary to the Assembly and to the Government.

(2) As soon as may be after the expiration of the time fixed for the election of members, the names of members elected for the constituencies concerned shall be notified in the Gazette by the Government.

91. The following procedure shall apply to constituencies other than those for which postal voting is allowed :—

The Returning Officer shall not open the sealed packets of the tendered votes, the marked copy of the electoral roll or the counterfoils of the ballot papers. He shall verify the statement submitted by the presiding officer under rule 72 by comparing it with the number of accepted ballot papers and of rejected ballot papers and the unused ballot papers in his possession, shall then re-close and re-seal each packet which has been opened by him, and shall record on each packet a description of its contents and the date of the election to which it refers.

92. The following procedure shall apply in the case of postal vote constituencies :—

Upon the completion of the counting, the Returning Officer shall seal up in separate packets—

(1) the counted ballot papers ;

(2) the rejected declaration papers and connected envelopes;

(3) the ballot papers rejected at the count ;

(4) the rejected envelopes and the connected declaration papers, if any ; and

(5) the marked copy of the electoral roll.

He shall also prepare and sign a statement in Form XV and shall record on each packet a description of its contents and the date of the election to which it refers.

93. In the case of all constituencies—both Personal and Postal—the Returning Officer shall then prepare and certify a return in Form XVI setting forth—

(1) the names of the candidates for whom valid votes have been given,

(2) the number of valid votes given for each candidate,

(3) the name of the candidate elected,

(4) the number of votes declared invalid, and

(5) the number of tendered votes given,

and shall permit any candidate or any representative duly authorized under rule 85 to take a copy or an extract from such return.

94. (1) The Returning Officer shall forward a copy of the return made under rule 93 to the Government as soon as possible after reporting the result of the election as required by rule 90.

(2) All the packets relating to the elections shall remain in the custody of the Returning Officer.

95. The packets of ballot papers whether counted, rejected or tendered, and of the counterfoils thereof, or of the declaration papers as the case may be, shall not be opened and their contents shall not be inspected or produced except under the order of a competent Court or of Commissioners appointed to hold an inquiry in respect of an election, but all other documents relating to the elections shall be open to inspection subject to such conditions as the Governor may impose and to the payment of a fee of Rs. 5.

96. (1) The packets aforesaid shall be retained for a period of one year and shall thereafter be destroyed subject to any direction to the contrary made by the Governor, or by a competent Court or by Commissioners appointed to hold an inquiry in respect of an election

(2) The nomination papers of candidates and the withdrawals from candidature shall be kept in the office of the Returning Officer concerned and shall be destroyed after five years, unless otherwise ordered by the Governor

Election Agents and Expenses.

97. No person who is for the time being disqualified under the provisions of Part IV of the Corrupt Practices Order from being a member of a Provincial Legislature or from voting at elections, shall, so long as the disqualification exists, be employed by or on behalf of a candidate as an agent in connexion with any election, including a primary election, held under the provisions of these rules.

98. The books of account to be kept by an election agent shall contain a statement of all payments made by the candidate or by his election agent or by any person on behalf of the candidate or in his interest, for expenses incurred on account of, or in respect of, the conduct and management of the election and further a statement of all unpaid claims in respect of such expenses of which he or his election agent is aware. The particulars to be entered in the books of account shall be those given in Schedule III.

99. The time within which a return of the election expenses of a person who has been nominated as a candidate shall be lodged with the Returning Officer shall be thirty-five days from the date of publication of the result of the final election.

100. (1) The return of election expenses shall contain the particulars specified in Schedule III and shall be in the form given in Schedule IV and shall be accompanied by declarations by the candidate and his election agent, in the forms subjoined to that Schedule, made on oath or affirmation before a Magistrate.

(2) The declaration to be made by a candidate who owing to absence from India is unable to sign the return and declaration required by sub-rule (1) shall be in the special form subjoined to Schedule IV and shall be lodged within fourteen days after the return of the candidate to India.

101. (1) When any return and the declarations made in respect thereof have been lodged with the Returning Officer, the Returning Officer shall, as soon as may be, cause a notice of the date on which the return and declarations in question have been lodged, and of the time and place at which they can be inspected, to be fixed in some conspicuous place in his office and to be published in the Gazette, and any person shall, on payment of a fee of one rupee, be entitled to inspect any such return or declaration.

(2) Certified copies of the return of election expenses and the declarations made in respect of them authenticated by the Returning Officer or any person authorized by him for the purpose shall be given on payment of the same fees as are prescribed for grant of copies of public documents in the Standing Order of the Board of Revenue No. 173.

(3) (i) A record showing—

(a) the names of the candidates,

(b) the names of the election agents of each such candidate,

(c) the date of each election,

(d) the name of each constituency in which an election has been held, and

(e) the date on which the return of election expenses of each candidate has been lodged with the Returning Officer,

shall be prepared by the Government, as soon as possible after the completion of each election.

(ii) The particulars required for the preparation of the record mentioned above shall be furnished by the Returning Officers concerned.

(iii) The record shall be open to inspection by the public.

(iv) The record of each election shall be maintained for six years from the date of each election.

(v) Separate records shall be maintained for general elections and by-elections.

102. The following shall be the maxima of election expenses (including the personal expenses of candidates) which may be incurred by a candidate for an election in a constituency of the Madras Legislative Assembly :—

Nature of constituency	Maximum limit of expenditure.
(a) Where the number of registered electors is 5,000 or less.	Rs. 1,000
(b) In all other cases	Two annas for every registered elector.

Decision of Doubts and Disputes as to the validity of elections.

103. In relation to a primary election held for the purpose of electing candidates for a seat reserved in the Madras Legislative Assembly for members of the scheduled castes, the provisions of Parts II and III of the Corrupt Practices Order, 1936, shall be subject to the following adaptations and modifications, namely :—

(a) An election petition against any candidate elected at a primary election, shall be presented, if the election took place in the City of Madras, to the Collector of Madras and, if the election took place elsewhere in the Presidency, to the District Magistrate, within two days after the date of the declaration of the result of the election.

(b) The Collector of Madras or the District Magistrate, as the case may be, or an officer deputed by him shall, after due notice to the respondents, hold a summary inquiry at such time and place as he may fix, record evidence in the manner provided for summary trials in the Code of Criminal Procedure, 1898, and pass orders on the petition as quickly as possible on the lines of paragraphs 7 to 10 of Part III of the said order.

(c) Any order passed by the Collector of Madras or a District Magistrate under sub-rule (2) shall be final.

104. An election petition against any returned candidate shall be deemed to have been presented to the Governor when it is delivered to the Governor or to an officer appointed by him in that behalf—

(a) by the person making the petition; or

(b) by a person authorized in writing in that behalf by the person making the petition; or

(c) by registered post.

105. An election petition may be presented—

(a) by any candidate or elector on any ground within fourteen days from the date on which the return of the election expenses of the returned candidate and the declarations referred to in rule 100 are published in the Gazette by the Returning Officer as required by sub-rule (1) of rule 101; or

(b) within thirty days from that date by an officer empowered in that behalf by the Governor on the ground that the election has not been a free election by reason of the large number of cases in which undue influence or bribery has been exercised or committed.

Explanation I.—When the last day of the period for the presentation of an election petition under sub-rule (a) or (b) is a public holiday within the meaning of section 25 of the Negotiable Instruments Act, 1881, or has been notified by the Local Government as a day to be observed as a holiday in Government offices, the petition shall be considered as having been received in due time if it is presented on the next succeeding day which is neither such a public holiday nor a day so notified.

Explanation II.—For the purpose of sub-rule (a), the date on which the return of the election expenses and the declarations are received by the Returning Officer shall, in the case of a candidate referred to in sub-rule (2) of rule 100, be the date on which the declaration under that sub-rule is received.

106. (1) An election petition shall contain a statement in concise form of the material facts on which the petitioner relies and shall, where necessary, be divided into paragraphs numbered consecutively. It shall be signed by the petitioner and verified in the manner prescribed for the verification of pleadings in the Code of Civil Procedure, 1908.

(2) The petition shall be accompanied by a list signed and verified in like manner setting forth full particulars of any corrupt practice which the petitioner alleges, including as full a statement as possible as to the names of the parties alleged to have committed any corrupt practice and the date and place of the commission of each such practice.

(3) The Commissioners may, upon such terms as to costs and otherwise as they may direct at any time, allow the particulars included in the said list to be amended or order such further and better particulars in regard to any matter referred to therein to be furnished as may in their opinion be necessary for the purpose of ensuring a fair and effectual trial of the petition

107. The petitioner may, if he so desires, in addition to calling in question the election of the returned candidate, claim a declaration that he himself or any other candidate has been duly elected; in which case he shall join as respondents to his petition all other candidates who were nominated at the election.

108. At the time of presentation of the petition, the petitioner shall, except where the petition is presented under clause (b) of rule 105, deposit with it the sum of one thousand rupees in cash or in Government Promissory notes of equal value at the market rate of the day as security for the costs of the same, provided that such deposit in the case of a petition relating to a primary election shall be two hundred and fifty rupees only

109 (1) An election petition shall abate only on the death of a sole petitioner or of the survivor of several petitioners.

Provided that, where such sole petitioner was an officer empowered by the Governor, the proceedings may be continued by any other officer empowered in like manner

(2) Notice of the abatement of an election petition shall be published in the gazette by the Commissioners, or, if the petition abates before any Commissioner has been appointed, by the Governor

(3) Any person who might himself have been a petitioner may, within fourteen days of such publication, apply to be substituted as petitioner, and, upon compliance with the conditions of rule 108 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Commissioners may think fit.

110. (1) An election petition may be withdrawn only by leave of the Commissioners, or if an application for withdrawal is made before any Commissioner has been appointed, of the Governor.

(2) If there are more petitions than one, no application to withdraw a petition shall be made except with the consent of all the petitioners.

(3) When an application for withdrawal is made to the Commissioners notice thereof fixing a date for the hearing of the application shall be given to all other parties to the petition and shall be published in the Gazette

(4) No application for withdrawal shall be granted if in the opinion of the Governor or of the Commissioners, as the case may be, such application has been induced by any bargain or consideration which ought not to be allowed.

(5) If the application is granted—

(a) the petitioner shall, where the application has been made to the Commissioner, be ordered to pay the costs of the respondent theretofore incurred or such portion thereof as the Commissioners may think fit;

(b) notice of the withdrawal shall be published in the Gazette by the Governor or by the Commissioners as the case may be; and

(c) any person who might himself have been a petitioner may, within fourteen days of such publication, apply to be substituted as petitioner in place of the party withdrawing, and upon compliance with the conditions of rule 108 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Commissioners may think fit; and

(6) When an application for withdrawal is granted by the Commissioners and no person has been substituted as petitioner in place of the party withdrawing under clause (c) of sub-rule (5), the Commissioners shall report the fact to the Governor.

111. If before the conclusion of the trial of an election petition the respondent dies or gives notice that he does not intend to oppose the petition, the Commissioners shall cause notice of such event to be published in the Gazette, and thereupon any person who might have been a petitioner may, within fourteen days of such publication, apply to be substituted for such respondent to oppose the petition, and shall be entitled to continue the proceedings upon such terms as the Commissioners may think fit.

112. (1) The Governor may dismiss an election petition for non-compliance with these rules.

(2) If the petition is not dismissed under sub-rule (1), it shall be referred to a Commission appointed by the Governor in the manner provided in sub-paragraph (1) of paragraph 4 of Part III of the Corrupt Practices Order.

(3) The President of the Commission shall, as soon as may be, cause a copy of the petition to be served on each respondent and to be published in the Gazette, and may call on the petitioner to execute a bond in such amount and with such sureties as he may require for the payment of any further costs. At any time within fourteen days after such publication, any other candidate shall be entitled to be joined as a respondent on giving security in a like amount and procuring the execution of a like bond:

Provided that the execution of such a bond by the petitioner shall not be required in any case where the petition has been presented under sub-rule (b) of rule 105:

113. Subject to the other provisions of these rules every election petition shall be inquired into by the Commissioners, as nearly as may be, in accordance with the procedure applicable under the Code of Civil Procedure, 1908, to the trial of suits:

Provided that it shall only be necessary for the Commissioners to make a memorandum of the substance of the evidence of any witness examined by them.

114. The inquiry shall be held at such place as the Governor may appoint.

Provided that the Commissioners may in their discretion sit at any other place in the Presidency for any part of the inquiry, and may depute any one of their number to take evidence at any place in the Province.

115. (1) Where at an inquiry into an election petition any candidate, other than the returned candidate, claims the seat for himself, the returned candidate or any other party may give evidence to prove that the election of such candidate would have been void, if he had been the returned candidate and a petition had been presented complaining of his election:

Provided that the returned candidate or such other party as aforesaid shall not be entitled to give such evidence unless he has, within fourteen days from the date of publication of the election

petition under sub-rule (3) of rule 112, given notice of his intention to the Commissioners and made the deposit and procured the execution of the bond referred to in rules 108 and 112, respectively

(2) Every notice referred to in sub-rule (1) shall be accompanied by the statement and list of particulars required by rule 106 in the case of an election petition and shall be signed and verified in like manner.

116. Election petitions with the proceedings and reports of the Election Commissioners thereon shall be kept by the Government and shall be destroyed after five years unless otherwise ordered by the Governor.

117. (1) If any person is elected by more than one constituency of the Assembly, he shall, by notice in writing signed by him and delivered to the Secretary to the Assembly within seven days from the date of the publication of the result of such election in the Gazette, choose for which of the constituencies he shall serve and his choice shall be conclusive.

(2) When any such choice has been made, the Governor shall call upon the constituency or constituencies not chosen by such person to elect another person or persons

(3) If the candidate does not make the choice referred to in sub-rule (1) of this rule, the elections of such person shall be void and the Governor shall call upon the constituencies concerned to elect other persons.

SCHEDULE I.

[Rule 10.)

Name of constituency. (1)	Returning Officer (2)	Other officers who may perform the duties of a Returning Officer. (3)
1. GENERAL CONSTITUENCIES.		
(a) Urban		
1 Madras City, North 2 Madras City, North—Central. 3 Madras City, South—Central 4 Madras City, South	Commissioner, Corporation of Madras. Do Do. Do.	Presidency Magistrate other than the Chief Presidency Magistrate.
5 Vizagapatam Town.	Collector of Vizagapatam.	Treasury Deputy Collector, Vizagapatam, and Revenue Divisional Officer, Vizagapatam
6 Cocanada Town ..	Collector of East Godavari.	Treasury Deputy Collector East Godavari.
7 Narasimhapuram Mandapalam Towns.	Collector of Kistna.	Treasury Deputy Collector, Kistna.
8 Guntur cum Tenali Towns.	Collector of Guntur	Treasury Deputy Collector, Guntur
9 Tanjore cum Kumbakonam Towns.	Collector of Tanjore.	Treasury Deputy Collector, Tanjore
10 Trichinopoly cum Srirangam Towns.	Collector of Trichinopoly.	Treasury Deputy Collector, Trichinopoly
11 Madura town	Collector of Madura.	Treasury Deputy Collector, Madura, and Deputy Collector, Madura Division.
12 Tinnevelly cum Palamcottah towns.	Collector of Tinnevelly	Treasury Deputy Collector, Tinnevelly.
13 Coimbatore town	Collector of Coimbatore	Treasury Deputy Collector, Coimbatore
14 Salem town.	Collector of Salem.	Treasury Deputy Collector, Salem.
(b) Rural.		
15 Tekkali ..	Revenue Divisional Officer, Chicacole.	Deputy Tahsildar, Tekkali.
16 Chicacole ..	Do.	Tahsildar, Chicacole.
17 Bobbili .	Revenue Divisional Officer, Parvatipur	Deputy Tahsildar, Bobbili.
18 Palakonda .	do	Tahsildar, Palakonda.
19 Vizianagram .	Do.	Tahsildar, Vizianagram.
20 Sarvasiddhi .	Revenue Divisional Officer, Narsapatnam	Tahsildar, Sarvasiddhi.
21 Viravelli ..	Do.	Tahsildar, Viravelli.
22 Vizagapatam .	do.	Tahsildar, Vizagapatam.
23 Rajahmundry ..	Revenue Divisional Officer, Vizagapatam.	Revenue Divisional Officer, Bhadrachalam and Tahsildar Rampachodavaram.
	Revenue Divisional Officer, Rajahmundry.	Tahsildar, Rajahmundry.
24 Amalapuram ..	Revenue Divisional Officer, Amalapuram.	Tahsildar, Amalapuram.
25 Cocanada ..	Revenue Divisional Officer, Cocanada.	Revenue Divisional Officer, Peddapuram and Tahsildar, Cocanada.

Name of [illegible]	Reporting Officer.	Other officers who may perform the duties of a reporting Officer
(1)	(2)	(3)

I. GENERAL CONSTITUENCIES—*contd.*

(1) Salem—*contd.*

45	Ellur	Revenue Divisional Officer, Ellur	Huzur [Divisional Officer, Karnam, and Tahsildar, Ellur
46	Dharmavaram ..	Revenue Divisional Officer, Dharmavaram.	Tahsildar, Dharmavaram.
47	Nammakal ..	Revenue Divisional Officer, Nammakal.	Tahsildar, Nammakal.
48	Namagiripet ..	Revenue Divisional Officer, Namagiripet.	Revenue Divisional Officer, Gudimedu, and Tahsildar, Namagiripet.
49	Rasipuram ..	Revenue Divisional Officer, Rasipuram	Revenue Divisional Officer, Karnam, and Tahsildar, Rasipuram.
50	Tiruchengode ..	Revenue Divisional Officer, Tiruchengode	Revenue Divisional Officer, Karnam, and Tahsildar, Tiruchengode.
51	Gudiyatham ..	Revenue Divisional Officer, Gudiyatham	Tahsildar, Gudiyatham.
52	Vaniyambadi ..	Revenue Divisional Officer, Vaniyambadi	Tahsildar, Vaniyambadi.
53	Tirupattur ..	Revenue Divisional Officer, Tirupattur	Tahsildar, Tirupattur.
54	Krishnagiri ..	Revenue Divisional Officer, Krishnagiri	Tahsildar, Krishnagiri.
55	Hosur	Revenue Divisional Officer, Hosur	Tahsildar, Hosur.
56	Uttangarai ..	Revenue Divisional Officer, Uttangarai	Tahsildar, Uttangarai.
57	Bargur	Revenue Divisional Officer, Bargur	Tahsildar, Bargur.
58	Chandragiri ..	Revenue Divisional Officer, Chandragiri	Tahsildar, Chandragiri.
59	Tirupati ..	Revenue Divisional Officer, Tirupati	Tahsildar, Tirupati.
60	Madanapalle ..	Revenue Divisional Officer, Madanapalle	Tahsildar, Madanapalle.
61	Chittoor ..	Revenue Divisional Officer, Chittoor	Tahsildar, Chittoor.
62	Cuddapah ..	Revenue Divisional Officer, Cuddapah	Tahsildar, Cuddapah.
63	Jammalamadugu ..	Revenue Divisional Officer, Jammalamadugu	Tahsildar, Jammalamadugu.
64	Proddatur ..	Revenue Divisional Officer, Proddatur	Tahsildar, Proddatur.
65	Rayachoti ..	Revenue Divisional Officer, Rayachoti	Tahsildar, Rayachoti.
66	Kadiri	Revenue Divisional Officer, Kadiri	Tahsildar, Kadiri.
67	Tadpatri	Revenue Divisional Officer, Tadpatri	Tahsildar, Tadpatri.
68	Gooty	Revenue Divisional Officer, Gooty	Tahsildar, Gooty.
69	Penukonda ..	Revenue Divisional Officer, Penukonda	Tahsildar, Penukonda.
70	Dharmavaram ..	Revenue Divisional Officer, Dharmavaram	Tahsildar, Dharmavaram.
71	Hindupur ..	Revenue Divisional Officer, Hindupur	Tahsildar, Hindupur.
72	Anantapur ..	Revenue Divisional Officer, Anantapur	Revenue Divisional Officer, Karnam, and Tahsildar, Anantapur.
73	Kalyandrug ..	Revenue Divisional Officer, Kalyandrug	Tahsildar, Kalyandrug.
74	Rayadrug ..	Revenue Divisional Officer, Rayadrug	Tahsildar, Rayadrug.
75	Bellary	Revenue Divisional Officer, Bellary	Revenue Divisional Officer, Karnam, and Tahsildar, Bellary.
76	Hospet	Revenue Divisional Officer, Hospet	Tahsildar, Hospet.
77	Kudligi	Revenue Divisional Officer, Kudligi	Revenue Divisional Officer, Karnam, and Tahsildar, Kudligi.
78	Sandur	Revenue Divisional Officer, Sandur	Tahsildar, Sandur.
79	Adoni	Revenue Divisional Officer, Adoni	Revenue Divisional Officer, Karnam, and Tahsildar, Adoni.
80	Alur	Revenue Divisional Officer, Alur	Tahsildar, Alur.
81	Gooty	Revenue Divisional Officer, Gooty	Tahsildar, Gooty.
82	Nandyal	Revenue Divisional Officer, Nandyal	Revenue Divisional Officer, Karnam, and Tahsildar, Nandyal.
83	Dhone	Revenue Divisional Officer, Dhone	Tahsildar, Dhone.
84	Pattikonda ..	Revenue Divisional Officer, Pattikonda	Tahsildar, Pattikonda.
85	Yemmiganur ..	Revenue Divisional Officer, Yemmiganur	Tahsildar, Yemmiganur.
86	Kurnool	Revenue Divisional Officer, Kurnool	Tahsildar, Kurnool.
87	Nandikotkur ..	Revenue Divisional Officer, Nandikotkur	Tahsildar, Nandikotkur.
88	Banaganapalle ..	Revenue Divisional Officer, Banaganapalle	Tahsildar, Banaganapalle.
89	Koilkuntla ..	Revenue Divisional Officer, Koilkuntla	Tahsildar, Koilkuntla.
90	Cumbum	Revenue Divisional Officer, Cumbum	Tahsildar, Cumbum.
91	Giddalur	Revenue Divisional Officer, Giddalur	Tahsildar, Giddalur.
92	Dharmapuri ..	Revenue Divisional Officer, Dharmapuri	Tahsildar, Dharmapuri.
93	Gudimedu (Namakkal)	Revenue Divisional Officer, Gudimedu (Namakkal)	Tahsildar, Gudimedu (Namakkal).
94	Coimbatore ..	Revenue Divisional Officer, Coimbatore	Tahsildar, Coimbatore.
95	The Nilgiris ..	Collector of the Nilgiris	Treasury Deputy Collector, The Nilgiris
96	Hosur	Revenue Divisional Officer, Hosur	Tahsildar, Hosur.
97	Dharmapuri ..	Revenue Divisional Officer, Dharmapuri	Tahsildar, Dharmapuri.
98	Tirupattur ..	Revenue Divisional Officer, Manjakal	Tahsildar, Tirupattur.
99	Uttangarai ..	Revenue Divisional Officer, Uttangarai	Tahsildar, Uttangarai.
100	Namakkal	Revenue Divisional Officer, Namakkal	Tahsildar, Namakkal.
101	Salem	Revenue Divisional Officer, Salem	Tahsildar, Salem.
102	Gudimedu ..	Revenue Divisional Officer, Gudimedu	Tahsildar, Gudimedu.
103	Pattur	Revenue Divisional Officer, Pattur	Tahsildar, Pattur.
104	Mangalore ..	Revenue Divisional Officer, Mangalore	Tahsildar, Mangalore.
105	Udipikai	Revenue Divisional Officer, Udipikai	Tahsildar, Udipikai.
106	Kottayam	Revenue Divisional Officer, Kottayam	Tahsildar, Kottayam.
107	Malappuram ..	Revenue Divisional Officer, Malappuram	Tahsildar, Tirur.
108	Calicut	Revenue Divisional Officer, Calicut	Tahsildar, Calicut
109	Kura Nirmand ..	Do. do.	Tahsildar, Kurumbranad.
110	Palghat	Revenue Divisional Officer, Palghat	Tahsildar, Palghat
111	Ponnani	Do. do.	Revenue Divisional Officer, Cochin, and Tahsildar, Ponnani.

Name of constituency. (1)	Returning Officer. (2)	Other officers who may perform the duties of a Returning Officer. (3)
II. MUHAMMADAN CONSTITUENCIES.		
(1) URBAN.		
1 Madras City ..	Commissioner, Corporation of Madras.	Presidency Magistrates other than the Chief Presidency Magistrate.
2 Calicut cum Cannanore cum Tellicherry town.	Collector of Malabar.	Treasury Deputy Collector, Malabar.
(2) RURAL.		
3 Vizagapatam cum East Godavari	Collector of East Godavari	Treasury Deputy Collector, East Godavari, Collector of Vizagapatam.
4 West Godavari cum Kistna.	Collector of Kistna.	Treasury Deputy Collector, Kistna, Collector of West Godavari
5 Guntur	Collector of Guntur.	Treasury Deputy Collector, Guntur.
6 Nellore	Collector of Nellore.	Treasury Deputy Collector, Nellore
7 Cuddapah	Collector of Cuddapah.	Treasury Deputy Collector, Cuddapah.
8 Kurnool	Collector of Kurnool.	Treasury Deputy Collector, Kurnool.
9 Bellary	Collector of Bellary.	Treasury Deputy Collector, Bellary.
10 Anantapur	Collector of Anantapur.	Treasury Deputy Collector, Anantapur
11 Chittoor	Collector of Chittoor.	Treasury Deputy Collector, Chittoor.
12 Chingleput cum South Arcot.	Collector of South Arcot	Treasury Deputy Collector, South Arcot, Collector of Cuddalore.
13 North Arcot	Collector of North Arcot.	Treasury Deputy Collector, North Arcot.
14 Tanjore	Collector of Tanjore.	Treasury Deputy Collector, Tanjore.
15 Trichinopoly ..	Collector of Trichinopoly.	Treasury Deputy Collector, Trichinopoly
16 Madura	Collector of Madura.	Treasury Deputy Collector, Madura.
17 Ramnad	Collector of Ramnad.	Treasury Deputy Collector, Ramnad
18 Tinnevelly	Collector of Tinnevelly	Treasury Deputy Collector, Tinnevelly
19 Salem cum Coimbatore cum the Nilgiris.	Collector of Salem.	Treasury Deputy Collector, Salem, Collector of Coimbatore and the Nilgiris.
20 Chirakkal	Revenue Divisional Officer, Tellicherry.	Tahsildar, Chirakkal,
21 Kottayam	Do. do.	Tahsildars of Kottayam and Wynaad.
22 Calicut	Revenue Divisional Officer, Calicut.	Tahsildar, Calicut.
23 Malappuram ..	Revenue Divisional Officer, Malappuram.	Tahsildar, Ernad
24 Palghat	Revenue Divisional Officer, Palghat.	Tahsildar, Palghat.
25 Pattar	Revenue Divisional Officer, Pattar.	Tahsildar, Pattar.
26 Mangalore	Revenue Divisional Officer, Mangalore.	Revenue Divisional Officer, Coconanada, Tahsildar, Mangalore.
III. WOMEN'S CONSTITUENCIES.		
(1) GENERAL—URBAN.		
1 Madras City ..	Commissioner, Corporation of Madras.	Presidency Magistrates other than the Chief Presidency Magistrate.
2 Ellore town ..	Revenue Divisional Officer, Ellore.	Tahsildar, Ellore
3 Tellicherry cum Calicut towns.	Revenue Divisional Officer, Tellicherry.	Revenue Divisional Officer, Calicut, Tahsildar, Chirakkal.
(2) GENERAL—RURAL.		
4 Cuddalore	Revenue Divisional Officer, Cuddalore,	Tahsildar, Cuddalore.
5 Bellary	Revenue Divisional Officer, Bellary.	Tahsildar, Bellary.
6 Dindigul	Revenue Divisional Officer, Dindigul.	Tahsildar, Dindigul.
(3) MUHAMMADAN—URBAN.		
7 Madras City ..	Commissioner, Corporation of Madras.	Presidency Magistrates other than the Chief Presidency Magistrate.
(4) INDIAN CHRISTIAN—URBAN.		
8 Tinnevelly cum Palamcottah cum Tuticorin towns.	Revenue Divisional Officer, Tuticorin.	Revenue Divisional Officer, Tinnevelly, Tahsildars of Srivaikuntam and Tinnevelly.
IV. ANGLO-INDIAN CONSTITUENCY.		
Anglo-Indian	Collector of Madras.	Assistant Superintendent of Stationery.
V. EUROPEAN CONSTITUENCY.		
European	Collector of Madras.	Assistant Superintendent of Stationery.
VI. INDIAN CHRISTIAN CONSTITUENCIES.		
1 Northern Circars ..	Collector of West Godavari.	Treasury Deputy Collector, West Godavari, Collectors of Vizagapatam, East Godavari and Kistna.
2 Guntur cum Nellore.	Collector of Guntur	Treasury Deputy Collector, Guntur Collector of Nellore
3 Ceded districts ..	Collector of Kurnool.	Treasury Deputy Collector, Kurnool, Collectors of Cuddapah, Bellary, Anantapur, Chittoor and North Arcot.

Name of constituency (1)	Returning Officer. (2)	Other officers who may perform the duties of a Returning Officer. (3)
VI. INDIAN CHRISTIAN CONSTITUENCIES—contd.		
6 Madras cum Chingleput	Collector of Madras.	Assistant Superintendent of Stationery, Madras, Collector of Chingleput.
5 South Arcot cum Trichinopoly [now known as Salem cum Coimbatore]	Collector of Trichinopoly.	Treasury Deputy Collector, Trichinopoly, Collectors of South Arcot, Salem and Coimbatore.
9 Tanjore cum Ramnad cum Madura	Collector of Ramnad.	Treasury Deputy Collector, Ramnad, Collectors of Tanjore and Madura.
7 Tinnevelly	Collector of Tinnevelly.	Treasury Deputy Collector, Tinnevelly.
8 West Coast	Collector of South Kanara.	Treasury Deputy Collector, South Kanara, Collectors of the Nilgiris and Malabar.
VII. BACKWARD AREAS and TRIBES CONSTITUENCY.		
Backward Tribal	Collector of Vizagapatam.	Treasury Deputy Collector, Vizagapatam, Revenue Divisional Officers, Narsapatnam and Peddapuram.
VIII. COMMERCE INDUSTRY and PLANTING CONSTITUENCIES.		
1 Kamgar Committee	Collector of Madras.	Assistant Superintendent of Stationery
2 The Southern India Chamber of Commerce.	Do.	Do.
3 The Nattukottai Kanniahetti Association	Do.	Do.
4 Madras Planters	Collector of the Nilgiris.	Treasury Deputy Collector, the Nilgiris.
IX. LANDHOLDERS' CONSTITUENCY.		
1 Northern Landholders I.	Collector of Vizagapatam.	Treasury Deputy Collector, Vizagapatam, Collector of East Godavari.
2 Northern Landholders II.	Collector of Kistna.	Treasury Deputy Collector, Kistna, Collectors of West Godavari and Guntur.
3 Southern Landholders. Central	Collector of Chingleput.	Treasury Deputy Collector, Chingleput, Collectors of Nellore, Chittoor, Cuddapah, Madras and Anantapur.
4 Southern Landholders. Central	Collector of Salem.	Treasury Deputy Collector, Salem, Collectors of South Arcot, South Arcot, Coimbatore and Trichinopoly.
5 Southern Landholders.	Collector of Tanjore.	Treasury Deputy Collector, Tanjore, Collectors of Madura, Ramnad and Tinnevelly.
6 West Coast Landholders	Collector of Malabar.	Treasury Deputy Collector, Malabar, Collectors of the Nilgiris and South Kanara.
X. LABOUR CONSTITUENCIES.		
(1) TRADE UNION		
1 Railway Union. Trade	Commissioner of Labour and Rural Uplift.	Personal Assistant to the Commissioner of Labour and Rural Uplift.
2 Textile Workers Trade Union.	Do.	Do.
(2) NON-UNION LABOUR.		
3 Textile Workers	Collector of Coimbatore.	Inspector of Factories IV Circle.
4 Madras City Dock and Factory Labour [excluding Textile and Railway Labour]	Commissioner of Labour and Rural Uplift.	Personal Assistant to the Commissioner of Labour and Rural Uplift.
5 Vizagapatam cum East Godavari Dock and Factory Labour.	Collector of Vizagapatam.	Inspector of Factories, II Circle.
6 West Godavari, Kistna cum Nellore cum Guntur Factory Labour	Collector of Guntur	Inspectors of Factories, II and III Circles.
XI. UNIVERSITY CONSTITUENCY		
University	Collector of Madras.	Assistant Superintendent of Stationery, Madras.

SCHEDULE II.

[Rules 16 and 36.]

MADRAS LEGISLATIVE ASSEMBLY.

I _____ hereby declare that I [have appointed/do hereby appoint] _____ to be my election agent for the election.

Station _____

Date _____

Signature.

SCHEDULE III

[Rule 98.]

1. Under the head of receipts, there shall be shown the name and description of every person (including the candidate), club, society or association from whom any money, security or equivalent of money was received in respect of expenses incurred on account of, or in connexion with or incidental to, the election, and the amount received from each person club, society or association separately.

2. Under the head of expenditure, there shall be shown—

(a) the personal expenditure of the candidate incurred or paid by him or his election agent, including travelling and all other personal expenses incurred in connexion with his candidature;

(b) the name and the rate and total amount of the pay, of each person employed as an agent (including the election agent), clerk or messenger;

(c) the travelling expenses and any other expenses incurred by the candidate or his election agent on account of agents (including the election agent), clerks or messengers,

(d) the travelling expenses of persons, whether in receipt of salary or not, incurred in connexion with the candidature, and whether paid or incurred by the candidate, his election agent or the person so travelling,

(e) the cost whether paid or incurred of—

(i) printing,

(ii) advertising,

(iii) stationery,

(iv) postage,

(v) telegrams,

(vi) rooms hired either for public meetings or as committee rooms, and

(vii) conveyances hired;

(f) any other miscellaneous expenses whether paid or incurred

Note.—(1) All expenses incurred in connexion with the candidature whether paid by the candidate, his election agent, or any other person, or remaining unpaid on the date of the return are to be set out.

(2) For all items of Rs. 5 and over, unless from the nature of the case (e.g., travel by rail or postage) a receipt is not obtainable, vouchers are to be attached

(3) All sums paid but for which no receipt is attached are to be set out in detail with dates of payment.

(4) All sums unpaid are to be set out in a separate list.

SCHEDULE IV.

[Rule 100.]

FORM OF RETURN OF ELECTION EXPENSES

1. *Receipts*—Including all moneys, securities and equivalents of money received from any person (including the candidate himself), club, society, or association in respect of any expenses, whether paid or remaining unpaid, incurred on account of or in connexion with or incidental to the election. The name of each such person, etc., and the amount received shall be shown separately.—

Date of receipt.	Name and description of payee	Amount or value.
	Total, Receipts ..	

2. *Expenses.*—Including all payments made by the candidate or by his election agent by any person on behalf of, or in the interests of the candidate in respect of any expenses incurred on account of or in connexion with or incidental to the election, and all unpaid claims in respect of any such expenses of which the candidate or his election agent is aware :—

N.B.—(1) Vouchers shall be attached to the return for all items of expenditure amounting to Rs 5 and over, unless from the nature of the case a receipt cannot be obtained, the vouchers shall be numbered and arranged in serial order and the number of the voucher entered in the return against the item of expenditure.

(2) Each payment made shall be entered separately, except payments on account of postage and telegrams for which lump sums may be shown. The name and description of each person paid and the work done or the nature of the goods supplied shall be shown in respect of each payment.

PART A.—*In this Part shall be shown the personal expenditure of the candidate, incurred or paid by him or by his election agent on his behalf including all payments for personal services rendered, for hotel bills, for travelling expenses and for the purchase of books or election literature*

Name and description of payee	On what account.	Date of payment.	Voucher number.	Amount paid.	Amount unpaid.
			Total ..		

PART B.—*In this Part shall be shown expenditure incurred by the candidate or his election agent for the remuneration of agents (including the election agent), clerks or messengers. The name and description of each agent, clerk or messenger employed and the rate of remuneration and the amount paid to each shall be shown separately.*

Name and description of payee.	On what account.	Rate of payment.	Date of payment	Voucher number	Amount paid.	Amount remaining unpaid.
				Total ..		

PART C.—*In this Part shall be shown all other expenditure (including travelling expenses and cost of refreshments provided) incurred by the candidate or his election agent on account of agents (including the election agent), clerks or messengers. The name and description of each agent, clerk or messenger and the amount paid to each shall be shown.*

Name and description of payee.	On what account.	Date of payment.	Voucher number.	Amount paid.	Amount remaining unpaid.
			Total ..		

PART D.—*In this Part shall be shown the travelling expenses of persons (not being agents, clerks or messengers) whether in receipt of salary or not, incurred or paid by the candidate, his election agent or the person so travelling.*

Name and description of payee.	On what account.	Date of payment.	Voucher number.	Amount paid.	Amount remaining unpaid.
			Total ..		

PART E.—*In this Part the cost of printing shall be shown.*

Name and description of payee.	On what account.	Date of payment, if any.	Voucher number	Amount paid.	Amount unpaid
			Total .		

PART F.—*In this Part the cost of advertising shall be shown*

Name and description of payee.	On what account.	Date of payment, if any.	Voucher number.	Amount paid.	Amount unpaid.
			Total ..		

PART G.—*In this Part the cost of stationery shall be shown.*

Name and description of payee.	On what account.	Date of payment, if any	Voucher number.	Amount paid	Amount unpaid.
			Total ..		

PART H.—*In this Part the cost of postage and telegrams may be shown in lump sums.*

Expenditure incurred.	Date of payment, if separate payments are shown.	Amount paid.
	Total ..	

PART I.—*In this Part the cost of rooms hired for public meetings or as Committee rooms or as an Office shall be shown.*

Name and description of payee.	Locality and description of rooms.	Date of payment	Voucher number.	Amount paid.	Amount unpaid.
			Total ..		

PART J.—*In this Part shall be included every disputed claim remaining unpaid*

Name and description of claimant.	Nature and alleged ground of claim.	Amount of claim.
	Total ..	

PART K.—*In this Part the cost of conveyances hired shall be shown.*

Name and description of payee.	Number and description of conveyances.	Voucher number.	Amount paid.	Amount unpaid.
		Total ..		

PART L.—*In this Part all expenditure incurred and payments made by the candidate or by his election agent or by any person on behalf of or in the interests of the candidate in connexion with the election and not included in any of the foregoing parts shall be shown.*

Name and description of payee.	On what account.	Date of payment, if any.	Voucher number.	Amount paid.	Amount unpaid.
			Total ..		

PART M.—*In this Part the total expenditure incurred under each of the previous parts shall be shown.*

Part.	Paid.	Unpaid.	Total.
A			
B			
C			
D			
E			
F			
G			
H			
I			
J			
K			
L			
Total			

Signature of the candidate.

Signature of the election agent

FORM OF DECLARATION BY ELECTION AGENT.

I

being the appointed election agent for a candidate for election in the constituency do hereby solemnly affirm that the above return of election expenses is true to the best of my knowledge and belief, and that, except the expenses herein set forth, no expenses of any nature whatsoever have to my knowledge or belief been incurred in, or for the purposes of

's candidature.

Election Agent.

Solemnly affirmed before me.

Magistrate.

FORM OF DECLARATION BY CANDIDATE.

I

being a candidate for election in the constituency do hereby solemnly affirm that the above return of election expenses is true to the best of my knowledge and belief, and that, except the expenses herein set forth, no expenses of any nature whatsoever have to my knowledge or belief been incurred in, or for the purposes of my candidature.

Candidate.

Solemnly affirmed before me.

Magistrate.

SPECIAL FORM OF DECLARATION BY CANDIDATE
UNDER RULE 100

I

being a candidate for election in the
constituency do hereby solemnly affirm that the return of election expenses signed by my election agent is (with the exceptions noted below) true to the best of my knowledge and belief, and that (with the exceptions noted below), no expenses of any nature whatsoever other than the expenses therein set forth have to my knowledge or belief been incurred in, or for the purposes of my candidature

:

Particulars of exceptions.

Candidate.

Solemnly affirmed before me.

Magistrate.

Form I

Form of Notice

[See rule 13]

Whereas the electors belonging to the scheduled castes in the General Constituency of the Madras Legislative Assembly in which a seat has been reserved for members of such castes have been called upon by notification to choose at a primary election on or before a panel of four candidates to stand for election to the said reserved seat, I, , the Returning Officer of the said constituency do hereby give the following —

Public Notice.

(i) The number of candidates to be elected is four

(ii) Nomination papers may be delivered to the undersigned at or if he is unavoidably prevented from receiving the same to at . They should be presented between 11 a.m. and 3 p.m. on or before

(iii) Forms of nomination paper may be obtained at the offices of the persons abovementioned between the hours of and from to .

(iv) The nomination papers will be taken up for scrutiny at on in .

(v) In the event of the election being contested, the poll will take place on between the hours of and with an interval of rest for not more than one hour at the discretion of the presiding officer.

(vi) No elector will be admitted to vote outside the polling area under which his name appears on the electoral roll except when he is employed outside such area on duty in connection with elections, in which case he may apply to the Returning officer for a certificate

The polling stations at which electors in each polling area may vote are those entered in the electoral roll subject however to the following alterations:—

Number of polling area according to the electoral roll.	Name of polling station finally selected in lieu of the station provisionally entered in the electoral roll

Station

Date

Returning Officer of Constituency.

FORM II.

[See rules 13 and 34.]

Nomination Paper.

Name of the constituency for which the candidate is nominated.

Name of candidate

Father's name

Age

Address

Constituency on the electoral roll of which the candidate is registered as an elector.

* Number of the candidate on the electoral roll of the constituency in which he is registered as an elector

Name of proposer

* Number of the proposer in the electoral roll of the constituency.

Signature of the proposer

Name of the seconder

* Number of the seconder in the electoral roll of the constituency.

Signature of the seconder

Declaration by Candidate.

I hereby declare that I agree to this nomination. . . . . .

Date Signature of candidate.

Certificate of Delivery.

Serial number, ...

This nomination paper was delivered to me at my office at (date and hour . . . .).

Returning Officer or other authorised person.

Certificate of Scrutiny

I have scrutinised the eligibility of the candidate, the proposer and seconder, and find that they are respectively qualified to stand for election, to propose and to second the nomination.

Returning Officer or other authorised person

* Where the electoral roll is subdivided and separate serial numbers are assigned to the electors entered in each subdivision, a description of the subdivision in which the name of the person concerned is entered must also be given here.

FORM III.

[See rule 28.]

Primary election for the election of a panel of Scheduled caste candidates.

Constituency Madras Legislative Assembly.

Final List of Candidates for Election.

Serial number.	Names of candidates.	Address of candidates.
1		
2		
3		
4		

etc., etc., etc.

Note.—The poll will be taken on the day of 19 between and at the polling stations already notified.

Returning Officer.

FORM IV.

[See rule 33.]

Form of Notice.

Whereas the constituency of the Madras Legislative Assembly has been called upon by notification to elect a member on or before I, the Returning Officer of the said constituency, do hereby give the following

Public Notice.

(i) The number of persons to be elected is

(ii) Nomination papers may be delivered to the undersigned at or if he is unavoidably prevented from receiving the same in at . They should be presented between 11 a.m. and 3 p.m., on or before

(iii) Forms of nomination paper may be obtained at the offices of the persons above mentioned between the hours of and from to

19

(iv) The nomination papers will be taken up for scrutiny at on

(v) In the event of the election being contested, the poll will take place on between the hours of and with an interval of rest for not more than one hour at the discretion of the presiding officer.

(vi) * No elector will be admitted to vote outside the polling area under which his name appears on the electoral roll except when he is employed outside such area on duty in connexion with elections, in which case he may apply to the Returning Officer for a certificate. The polling stations at which electors in each polling area may vote are those entered in the electoral roll subject however to the following alterations.—

Number of polling area according to the electoral roll.	Name of polling station finally selected in lieu of the station provisionally entered in the electoral roll.

Station

Date *Returning Officer of Constituency.*

* This clause omitted in the case of constituencies for which postal voting is prescribed.

Form V.

[See rule 47.]

Constituency. Legislative Assembly.

Final List of Candidates for Election.

Serial number.	Names of candidates	Address of candidates.
1.		
2.		
3.		
4.		
etc.,	etc.,	etc.,

Note.—The poll will be taken on the day of 19 between and at the polling stations already notified.

Returning Officer.

In the case of a postal vote constituency the note shall run as follows:—

"Ballot papers should reach the Returning Officer by registered post before on or be deposited or caused to be deposited at the office of the Returning Officer between and on ."

Form VI.

[See rule 61.]

Form VI A	Form VI.
Serial No. P. 3—430	Serial No. P. 3—430
G-1—0431	G-1—0431
M-2—1533	M-2—7532
C.H.-4—500	C.H.-4—500
C.M.-3—278	C.M.-3—278
L-5—354	L-5—354
W-6—874	W-6—874
B—55	B—55

Note—

'P' stands for Primary election

'G' " General Constituencies.

'M' " Muhammadan Constituencies.

'C.H.' " Indian Christian Constituencies.

'C.M.' " Commerce and Industry Constituencies.

'L' " Labour Constituencies.

'W' " Women's Constituencies.

'B' " Backward Areas and Tribes Constituencies.

FORM VII.

[See rule 64.]

Tendered Vote List.

Polling station

Name of constituency.	Name of elector.	Number in electoral roll.	Signature of elector if literate or thumb impression of elector, if illiterate and address.

FORM VIII.

[See rule 67.]

List of Challenged Votes

Name of polling station

Signature Sheet No.

Number on electoral roll.	Name.	Signature of elector if literate or thumb impression of elector if illiterate.	Name of identifier, if any.

Order of Presiding Officer (in each case).

Signature of Presiding Officer.

FORM IX.

[See rule 67.]

Declaration of Personation.

"I, (name) , hereby declare and undertake to prove that the person described below has, by applying for a ballot paper at the booth, committed the offence of personation.

Description of the person.

Name.	Address.	Signature or thumb impression.

Signature of candidate or agent.

Witnesses—

1. (Name and address.)
2. (Name and address.)

(Before me)

Station,

Date

Signature of candidate or agent.

FORM X.

[See rule 69.]

Form of authorization to vote outside polling area.

Certified that entitled to vote at for Constituency has been employed in connexion with the election for Constituency and is prevented from voting at the said station and that I have therefore authorized him to vote at

Station,

Date

Signature of Returning Officer.

Form XI.

[See rule 72.]

Statement sent by Presiding Officer at ..... after the polling on ..... 19 .... for the ..... in the district of ..... Constituency.

Description (1)	Number received. (2)	Number of ballot papers in boxes. (3)	Number of ballot papers in packets—(Rule 70 (2)). (4)	Number of tendered ballot papers—Rule 66 (5)	Number unused. (6)	Number spoilt. (7)	Ballot papers dealt with under rule 70 (1) (Declared under section (21)). (8)	(9) Remarks.
Ballot papers.								

Signature of Presiding Officer.

Form XII.

[See rule 72.]

Ballot Paper.

Constituency .....

Names of the candidates.	Mark showing the elector's choice.

(Please see instructions on the back.)

(Back of ballot paper.)

(1) The number of votes which you may give is .....

* (2) You may not give more than one vote to any one candidate.

(3) Place a cross mark thus x against the name of the candidate or candidates for whom you wish to vote.

Serial No.

Form XII-A.

[See rule 72.]

Declaration Paper.

Constituency .....

Serial No.

Elector's name and number on the roll.

Elector's Declaration.

I (name in full and designation) declare that I am an elector for this constituency and that I have signed no other ballot paper at this election for this constituency †I also declare that I have not voted at this general election in any other Landholders' constituency.

Date ..... Signature .....

Station ..... Address .....

* To be printed on ballot papers for plural member constituencies.

† To be struck out except in the case of Landholders' constituencies at a general election.

FORM XIII.

[See rule 78.]

Legislative Assembly Election

Constituency

Poll on

To

The Returning Officer,

Constituency,

(station and address).

No.

FORM XIV.

[See rule 78.]

Form of Letter of Intimation.

Constituency.

Sir,

The persons whose names are printed on the ballot paper sent herewith have been nominated as candidates for the Legislative Assembly. Should you desire to vote at this election, I have to request that you will—

(a) sign the declaration paper;

(b) mark your vote or votes in the column provided for the purpose in the ballot paper;

(c) enclose the ballot paper in the smaller envelope and stick it up; and

(d) put the smaller envelope and the declaration paper in the cover addressed to me and return it to me by registered post so as to reach me not later than ——— a.m. / p.m on the day of 19 or deposit or cause to be deposited the cover addressed to me in the ballot box provided for the purpose in between and on .

2. Rule 57 of the rules for the conduct of elections provides that a ballot paper shall be rejected if—

(i) the number of votes recorded thereon exceeds the number of vacancies to be filled;

(ii) no vote is recorded thereon;

(iii) it is void for uncertainty;

(iv) it bears any mark by which the elector can be identified; and

(v) the cover, enclosing the elector's declaration paper and the envelope containing his ballot paper, has neither been sent by registered post so as to reach the Returning Officer not later than the day and the latest hour fixed for the poll nor deposited in the ballot box provided in the office of the Returning Officer on the day and during the hours fixed for the poll;

(vi) the cover contains no declaration paper outside the envelope,

(vii) more than one declaration paper or envelope containing ballot paper have been enclosed in one and the same cover;

(viii) the declaration paper is not the one sent out by the Returning Officer to the elector or the declaration or attestation is not in order.

Provided that in a case where more than one vote can be given on the same ballot paper, if one of the marks is so placed as to render it doubtful to which candidate it was intended to apply, the vote concerned but not the whole ballot paper shall be invalid on that account.

Station

Date

Returning Officer.

Form XV.

(See rule 92.)

Total number of electors on roll. (1)	Number of ballot papers issued originally. (2)	Number issued in place of ballot papers reported as not received, spoilt or lost (3)	Number of ballot papers received (4)	Number of ballot papers rejected (5)	Number of ballot papers counted (6)	Number of declaration papers filed separately. (7)	Remarks (8)

Returning Officer.

Form XVI

(See rule 93.)

Return showing results of the election for ..... constituency

Name of candidate for whom votes have been given. (1)	Number of valid votes. (2)
A	
B	
C	
D	
E	
F	
Number of valid ballot papers ..	
Number of ballot papers declared invalid in whole or in part.	
Number of tendered ballot papers .	

I do hereby declare that the following candidates :—

A

B

C

have been duly elected.

Returning Officer

No 43.—

THE MADRAS (PROHIBITION OF SIMULTANEOUS MEMBERSHIP) RULES, 1936.

In exercise of the powers conferred by sub-sections (1) and (2) of section 68 of the Government of India Act, 1935, read with paragraphs 4 (2) and 14 (1) of the Government of India (Commencement and Transitory Provisions) Order, 1936, the Governor of Madras in Council is hereby pleased to make the following rules, namely :—

1. These rules may be called the Madras (Prohibition of Simultaneous Membership) Rules, 1936.

2. Any person who is chosen a member of both the Chambers of the Legislature of the Province of Madras and who has not taken his seat in either chamber may, by notice in writing signed by him and delivered to the Secretaries of both the Chambers, or to any person authorized by the Governor in this behalf, within ten days from the date of publication in the *Fort St. George Gazette* of the declarations that he has been so chosen or, if such publications have been made on different dates, within ten days from the later of such dates, intimate in which of the Chambers he wishes to serve, and any choice so intimated shall be conclusive. In default of such intimation, the seat of such person in the Legislative Assembly shall become vacant.

3 (1) If a person who is already a member of the Legislative Assembly of the Province of Madras and has taken his seat in such Assembly is chosen a member of the Legislative Council of the Province, his seat in the Assembly shall, on the publication in the *Fort St. George Gazette* of the declaration that he has been so chosen, become vacant.

(2) If a person who is already a member of the Legislative Council of the Province of Madras and has taken his seat in such Council is chosen a member of the Legislative Assembly of the Province, his seat in the Council shall, on the publication in the *Fort St. George Gazette* of the declaration that he has been so chosen, become vacant.

4. The period at the expiration of which the seat in the Provincial Legislature of a person chosen a member of the Federal (or Indian) Legislature and of the Provincial Legislature [including a person who, being a member of the Federal (or Indian) or of the Provincial Legislature, is chosen a member of the Provincial or of the Federal (or Indian) Legislature, respectively], shall become vacant, unless he has previously resigned his seat in the Federal (or Indian) Legislature, shall be ten days from the date of the publication in the *Gazette of India* or in the *Fort St George Gazette*, whichever is later, of the declaration that he has been so chosen :

Provided that, in a case in which the declaration that a person, being a member of the Indian Legislature, has been chosen a member of the Provincial Legislature is published in the *Fort St. George Gazette* on any date earlier than the 10th April 1937, the said period shall be the period expiring on the 20th April 1937, or on the date of the first meeting of the Provincial Legislature, whichever is earlier.

(By order of the Governor in Council)

G. T. BOAG,
Acting Chief Secretary.

MADRAS : PRINTED AND PUBLISHED BY THE SUPERINTENDENT, GOVERNMENT PRESS.